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## The President

### EXECUTIVE ORDER 9134

AMENDMENT OF EXECUTIVE ORDER NO. 8757  
OF MAY 20, 1941 ESTABLISHING THE OF-  
FICE OF CIVILIAN DEFENSE

Executive Order No. 8757 of May 20, 1941,<sup>1</sup> as amended by Executive Orders No. 8799 of June 20, 1941<sup>2</sup> and No. 8822 of July 16, 1941,<sup>3</sup> is hereby amended to read as follows:

By virtue of the authority vested in me by the Constitution and statutes of the United States, and in order to define further the functions and duties of the Office for Emergency Management of the Executive Office of the President, with respect to the state of war declared to exist by Joint Resolutions of Congress, approved December 8, 1941, and December 11, 1941, respectively, to assure effective coordination of Federal relations with State and local governments engaged in the furtherance of the war program, to provide for necessary cooperation with State and local governments with respect to measures for adequate protection of the civilian population in emergency periods, and to facilitate constructive participation in the war program, it is hereby ordered as follows:

1. There is established within the Office for Emergency Management of the Executive Office of the President the Office of Civilian Defense, at the head of which shall be a Director appointed by the President. The Director shall discharge and perform his responsibilities and duties under the direction and supervision of the President.

2. There is established within the Office of Civilian Defense a Civilian Defense

Board consisting of the Director, who shall serve as Chairman, the Secretary of War, the Attorney General, the Secretary of the Navy, the Director of the Office of Defense Health and Welfare Services, and such other members as the President may designate.

3. The Director, with the advice and assistance of the Board, shall:

a. Serve as the center for the coordination of Federal civilian defense activities which involve relationships between the Federal Government and State and local governments; establish and maintain contact with State and local governments and their defense agencies; and facilitate relationships between such units of government and the agencies of the Federal Government in respect to defense problems.

b. Keep informed of problems which arise in states and local communities from the impact of the industrial and military efforts required by war, and take steps to secure the cooperation of appropriate Federal agencies in dealing with such problems and in meeting the emergency needs of such states and communities in such a manner as to promote the war effort.

c. Assist State and local governments in the establishment of State and local defense councils or other agencies designed to coordinate civilian defense activities.

d. Study and plan programs designed to afford adequate protection of life and property against war hazards; sponsor and carry out such civil defense programs as may be necessary to meet emergency needs, including the recruitment and training of civilian auxiliaries; and disseminate to the public and to appropriate officials of the Federal Government and State and local governments information concerning civil defense measures.

e. Consider proposals, suggest plans, and promote activities designed to mobilize a maximum civilian effort in the prosecution of the war, and provide opportu-

## CONTENTS

### THE PRESIDENT

Executive Orders:	Page
Alaska, modification of land reservation .....	2889
Arkansas, land withdrawn for use of War Department for flood control purposes.....	2889
Interdepartmental Committee for Voluntary Pay Roll Savings Plan, establishment....	2888
Office of Civilian Defense, amendment of order establishing .....	2887

### RULES, REGULATIONS, ORDERS

#### TITLE 30—MINERAL RESOURCES:

##### Bituminous Coal Division:

Minimum price schedules, relief orders, etc.:	
District 1 (2 documents) .....	2889, 2890
District 7 (2 documents) .....	2891, 2892
District 8 (2 documents) .....	2892, 2893
Tonnage reports from code members for assessment purposes .....	2894

#### TITLE 32—NATIONAL DEFENSE:

##### Defense Communications Board:

Radio-frequency generating apparatus, registration...	2903
Office of Censorship:	
Postal censorship, foreign mail .....	2904
Office of Price Administration:	
Automobile rationing, amendment .....	2903
Copper, contracts entered into prior to August 1941 .....	2898
Copper and alloy scrap, amendment .....	2897
Newsprint paper, standard; amendment .....	2903
Rayon grey goods, amendment .....	2899

(Continued on next page)

<sup>1</sup> 6 F.R. 2517.

<sup>2</sup> 6 F.R. 3049.

<sup>3</sup> 6 F.R. 3529.





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#### CONTENTS—Continued

<b>TITLE 32—NATIONAL DEFENSE—Con.</b>	<b>Page</b>
War Production Board:	
Compressors.....	2897
Honey, amendment.....	2895
Radio tubes.....	2895
Rhodium, amendment.....	2895
Suppliers, exemption from inventory limitation.....	2895
Tung oil and oiticica oil.....	2894
<b>TITLE 36—PARKS AND FORESTS:</b>	
National Park Service:	
Miscellaneous amendments.....	2906
<b>TITLE 43—PUBLIC LANDS: INTERIOR:</b>	
Grazing Service:	
New Mexico, district reduced.....	2908
<b>TITLE 46—SHIPPING:</b>	
Coast Guard: Inspection and Navigation:	
Emergency regulations amended.....	2908
<b>TITLE 49—TRANSPORTATION AND RAILROADS:</b>	
Interstate Commerce Commission:	
Explosives and other dangerous articles.....	2910
<b>TITLE 50—WILDLIFE:</b>	
Fish and Wildlife Service:	
Lacassine National Wildlife Refuge, La., fishing.....	2914

#### NOTICES

Civil Aeronautics Board:	
Transcontinental and Western Air, Inc., hearing.....	2918
Department of the Interior:	
Bituminous Coal Division:	
District Board 2, relief granted.....	2915

#### CONTENTS—Continued

Department of the Interior—Con.	Page
Bituminous Coal Division—Con.	
Hearings, postponements, etc.:	
District Board 11.....	2916
Ramsay, Collins Fuel Co.....	2916
Reynolds, Lattier, & Schied.....	2915
Minimum prices, hearing on proposed revision.....	2914
General Land Office:	
Alaska, air navigation site withdrawal enlarged.....	2917
Arizona, five-acre tract classification.....	2917
California, land transferred from Stanislaus National Forest to Yosemite National Park.....	2916
Wyoming, stock driveway withdrawal reduced.....	2916
Department of Labor:	
Wage and Hour Division:	
Citrus pulp and waste dehydrating, hearing on exemption as seasonal industry.....	2917
Federal Power Commission:	
New York State Natural Gas Corp., and Keuka Construction Corp., hearing.....	2918

nities for constructive civilian participation in the war program; assist other Federal agencies in carrying out their war programs by mobilizing and making available to such agencies the services of the civilian population; review and approve all civilian defense programs of Federal agencies involving the use of volunteer services so as to assure unity and as may be necessary or desirable to as-balance in the application of such programs; and assist State and local defense councils or other agencies in the organization of volunteer service units and in the mobilization of community resources for the purpose of dealing with community problems arising from the war.

f. Review existing or proposed measures relating to State and local defense activities, and recommend to the appropriate agencies such additional measures as may be necessary to insure adequate civilian defense.

g. Perform such other duties relating to participation in the war program by State and local agencies as the President may from time to time prescribe.

4. The Director may provide for the internal organization and management of the Office of Civilian Defense. He shall obtain the President's approval for the establishment of the principal subdivisions of the Office and the appointment of the heads thereof. The Director may delegate authority to carry out his powers and duties to such agencies, officials or personnel as he may designate.

5. Within the limitation of such funds as may be appropriated or allocated to the Office of Civilian Defense, the Direc-

tor may employ necessary personnel, maintain the necessary fiscal and property records, and make provision for the necessary supplies, facilities, and services.

6. As used in this order, the term "State and local" shall include Territories, insular possessions, and the District of Columbia.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

April 15, 1942.

[F. R. Doc. 42-3402; Filed, April 16, 1942; 2:35 p. m.]

#### EXECUTIVE ORDER 9135

ESTABLISHING THE INTERDEPARTMENTAL COMMITTEE FOR THE VOLUNTARY PAY ROLL SAVINGS PLAN FOR THE PURCHASE OF WAR SAVINGS BONDS

WHEREAS it daily becomes more apparent that victory will require the fullest participation of all of the people in our war effort, and that the purchase of War Savings Bonds constitutes a direct and effective participation; and

WHEREAS every purchaser of War Savings Bonds invests not only in the success of the Nation's common cause, but also in his own personal security and independence; and it is, therefore, to the manifest advantage of both the Government and every citizen that the sale of War Savings Bonds should be facilitated; and

WHEREAS employers and employees in many business and industrial enterprises, as well as some Governmental activities, have developed, and are maintaining, with notable success, programs that provide for the purchase of War Savings Bonds through regular, voluntary pay allotments; and it is proper that all civilian employees and officers in the executive branch of the Government should be afforded equal opportunity for voluntary participation in such systematic purchase programs:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the Statutes of the United States as President of the United States, it is hereby ordered as follows:

1. There is hereby established the Interdepartmental Committee for the Voluntary Pay Roll Savings Plan for the Purchase of War Savings Bonds (hereinafter referred to as the Committee). The Committee shall consist of Rear Admiral Charles Conard, Supply Corps, United States Navy, Retired, who shall serve as Chairman, and the head of each of the several departments, establishments, and agencies in the executive branch of the Government. Each member of the Committee, other than the Chairman, may designate an alternate from among the officials of his department, establishment, or agency, and such



alternate may act for such member in all matters relating to the Committee.

2. The Committee shall perform the following functions and duties:

a. Formulate and present to the several departments, establishments, and agencies in the executive branch of the Government a uniform plan whereby all civilian officers and employees may systematically purchase War Savings Bonds through voluntary pay allotments.

b. Assist the several departments, establishments, and agencies in the adoption of said voluntary pay allotment plan and in the solution of any special problems that may develop in connection therewith.

c. Act as a clearing house for the several departments, establishments, and agencies in the dissemination of such statistics and information relative to the execution of the plan as may be deemed advantageous.

d. Recommend to the several departments, establishments, and agencies any improvements in the program adopted pursuant to said plan.

3. Each of the departments, establishments, and agencies in the executive branch of the Government shall institute and set in operation, as soon as may be, the plan recommended by the Committee, with such modifications as particular circumstances may render advisable. Each Committee member shall act as liaison officer between the Committee and his department, establishment, or agency with regard to said plan.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 16, 1942.

[F. R. Doc. 42-3434; Filed, April 17, 1942;  
11:06 a. m.]

#### EXECUTIVE ORDER 9136

MODIFYING EXECUTIVE ORDERS NO. 1919½ OF APRIL 21, 1914, NO. 2728 OF OCTOBER 8, 1917, AND NO. 3672 OF MAY 8, 1922, AND RESERVING PUBLIC LANDS FOR THE USE OF THE WAR DEPARTMENT

##### ALASKA

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. Executive Orders No. 1919½ of April 21, 1914, No. 2728 of October 8, 1917, and No. 3672 of May 8, 1922,

withdrawing certain lands for townsite purposes, are hereby modified to the extent necessary to permit the reservation described in Section 2 of this order.

SECTION 2. Subject to all valid existing rights, there is hereby reserved for the use of the War Department, a right-of-way, 120 feet wide, 60 feet on each side of the center line, for the construction, operation and maintenance of a road, beginning from a point on the south line of section 8 (Relocation "B"), and extending northeasterly to a point on First Street, between "E" and "F" Streets, at Fort Richardson, in section 9, T. 13 N., R. 3 W., Seward Meridian, Alaska, as shown on the map No. 638, approved January 23, 1941, Office of the Corps of Engineers, War Department, Fort Richardson, Alaska, on file in the General Land Office, Department of the Interior, reserving, however, to the Alaska Railroad and to the permittees or lessees of the Alaska Railroad the right to use the road.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 16, 1942.

[F. R. Doc. 42-3432; Filed, April 17, 1942;  
11:05 a. m.]

#### EXECUTIVE ORDER 9137

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR FLOOD CONTROL PURPOSES

##### ARKANSAS

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights and to withdrawals and classifications for power purposes, the following-described public lands in Arkansas be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, for use in connection with the construction of the Norfolk Dam and Reservoir on the North Fork of the White River, under the supervision of the War Department as authorized by the act of June 28, 1938, c. 795, 52 Stat. 1215:

##### FIFTH PRINCIPAL MERIDIAN

T. 18 N., R. 11 W., sec. 6, SW¼SW¼;  
T. 19 N., R. 11 W.,  
sec. 9, W½NE¼;  
sec. 17, SE¼NE¼, NE¼SE¼;  
sec. 19, SE¼NE¼, NE¼SE¼;  
sec. 20, SW¼NW¼, S½NE¼;  
T. 20 N., R. 11 W., sec. 32, SW¼NW¼;

T. 19 N., R. 12 W.,  
sec. 3, Lot 2 of NW¼;  
sec. 5, NE¼SW¼;  
sec. 13, SW¼SE¼;  
T. 20 N., R. 12 W.,  
sec. 8, Lot 1, SE¼SW¼;  
sec. 21, SW¼SW¼;  
T. 21 N., R. 12 W.,  
sec. 20, NW¼SE¼;  
sec. 32, E½NE¼, including lands both east and west of the North Fork of White River;  
sec. 33, that part of NW¼ lying south and west of North Fork of White River; containing 805.34 acres.

This order supersedes as to any of the above-described lands affected thereby the withdrawal made by Executive Order No. 6964 of February 5, 1935, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 16, 1942.

[F. R. Doc. 42-3433; Filed, April 17, 1942;  
11:05 a. m.]

#### Rules, Regulations, Orders

#### TITLE 30—MINERAL RESOURCES

#### Chapter III—Bituminous Coal Division

[Docket No. A-1255]

#### PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF THE BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 1 FOR THE ESTABLISHMENT OF AN ADDITIONAL PRICE INSTRUCTION IN THE SCHEDULES OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1 FOR ALL SHIPMENTS EXCEPT TRUCK AND FOR TRUCK SHIPMENTS

A petition having been filed with the Bituminous Coal Division on January 3, 1942, by the Bituminous Coal Producers Board for District No. 1, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment of an additional price instruction in the Schedules of Effective Minimum Prices for District No. 1 For All Shipments Except Truck and For Truck Shipments;

A petition of intervention having been filed by the Bituminous Coal Producers Board for District No. 7 and a Notice of Appearance having been filed by the Bituminous Coal Consumers' Counsel;

A hearing having been held in this matter pursuant to an Order of the Acting Director, on March 5, 1942, before a duly designated Examiner of the Bitu-



minous Coal Division at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which the petitioner, the Bituminous Coal Producers Board for District No. 7 and the Bituminous Coal Consumers' Counsel appeared:

The parties having waived the preparation and filing of the Examiner's Report, and the record in the proceeding having thereupon been submitted to the undersigned:

A brief having been filed by the Bituminous Coal Consumers' Counsel;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That § 321.1 (*Price instructions and exceptions—(a) Price instructions*) in the Schedule of Effective Minimum Prices for District No. 1 For All Shipments Except Truck be and it hereby is amended by the establishment of a price instruction, to be designated Price Instruction 14, to read as follows:

"When coals produced by a single code member are mixed, the minimum price applicable to such mixture shall be the same as that for coal contained in the mixture having the highest price classification unless, after hearing, a special price classification is established for said mixture. When such mixture is sold, the invoices shall properly identify the coal.

It is further ordered, That § 321.21 (*Price instructions and exceptions—(a) Price instructions*) in the Schedule of Effective Minimum Prices for District No. 1 For Truck Shipments be and it hereby is amended by the establishment of a price instruction, to be designated Price Instruction 7, to read as follows:

When coals produced by a single code member are mixed, the minimum price applicable to such mixture shall be the same as that for coal contained in the mixture having the highest price classification unless, after hearing, a special price classification is established for said mixture. When such mixture is sold, the invoices shall properly identify the coal.

Dated: April 11, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3389; Filed, April 16, 1942;  
10:55 a. m.]

[Docket No. A-1356]

PART 321—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT NO. 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 *Alphabetical list of code members—Supplement R*

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group Nos.]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3447	Carrier & Son (W. W. Carrier).	Harlan #5.....	5	B	Harlan, Pa.....	LEF & C.	31	(†)	(†)	E	E	E
3448	Freebrook Corporation	Pittshaw #31.....	2	B	Erie Junction, Pa.	P&S.....	119	(†)	(†)	H	(†)	(†)
3449	Freebrook Corporation	Pittshaw #32.....	5	B	Sugar Hill, Pa.....	P&S.....	119	(†)	(†)	E	(†)	(†)
3414	Gardner, Frank J.....	Gardner.....	12	C'	Glen Campbell, Pa.	PRR.....	50	(†)	(†)	G	(†)	(†)
3145	Hilliard, Norman, Floyd R. Shick & James L. Nelswonger (Floyd R. Shick).	Shick.....	4	D	New Bethlehem, Pa.	PRR.....	75	(†)	(†)	G	H	H
3436	Miller, Joseph M.....	Knoxdale.....	5	D	Fuller, Pa.....	PRR.....	122	(†)	(†)	E	(†)	(†)
3450	Ringler, Myrtle B. (Mrs.) c/o Samuel P. Miller.	Stoker.....	36	D	Friedens, Pa.....	B&O.....	100	(†)	(†)	E	(†)	(†)

†When shown under a Size Group Number this symbol indicates no classification effective for this Size Group.

NOTE.—If coals of Mine Index Nos. 336, 337, 666, 3170, 3171, 3451, and 942 of James F. Eyerly (Hillside Coal Company) are loaded into the same car the price that shall apply to such mixture shall be the price which is listed for the coal in the mixture which has the higher price classification.

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: April 9, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.



sions of Law, and Recommendations in this matter, dated February 26, 1942, recommending that the petition of District Board 7 be granted;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs, and no such exceptions and supporting briefs having been filed;

The undersigned having determined the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the Acting Director;

Now, therefore, it is ordered, That the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner be and they hereby are approved and adopted as the Findings of Fact and Conclusions of Law of the Acting Director;

It is further ordered, That the relief prayed for by District Board 7 be granted and that commencing fifteen (15) days from the date of this Order, \$327.11 (Low Volatile coals: Alphabetical list of code members) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated: April 9, 1942.

[SEAL]  
DAN H. WHEELER,  
Acting Director.

GASTON NO. 2 MINE, MINE INDEX NO. 255, R. H. HAYES (HAYES COAL CO.), MEAD POCA, NO. 3 MINE, MINE INDEX NO. 265, AND I. R. THOMPSON, AMICK MINE, MINE INDEX NO. 508, CODE MEMBERS IN DISTRICT NO. 7 FOR ALL SHIPMENTS EXCEPT TRUCK

A petition pursuant to the provisions of section 4 II (d) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division by District Board 7, requesting that temporary and permanent relief be granted by the establishment of effective price classifications and minimum prices for shipment by rail of certain coals produced in District 7;

Temporary relief having been granted in part by Order of the Director dated November 14, 1941, 6 F.R. 6189;

Pursuant to Order of the Director and after due notice to interested persons, a hearing in this matter having been held before Edward J. Hayes, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C., at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The Examiner, Edward J. Hayes, having made and filed his Report, Proposed Findings of Fact and Proposed Conclu-

# FOR TRUCK SHIPMENTS

## § 321.24 General prices—Supplement T

(Prices in cents per net ton for shipment into all market areas)

Code member index	Mine Index No.	Mine	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2" and under	Run of mine modified size 2" and under	2" and under slack	3/4" and under slack
Bennett, Clyde H. & James R.	3403	Bell Run	Clearfield	D	220	220	220	205	205
Smith (Clyde H. Bennett)	3447	Hackan #5	Jefferson	B	225	225	225	215	215
Carrier & Son (W. W. Carrier)	3243	Elkin Coal Co.	Jefferson	E	220	220	220	210	210
Elkin, Stephen F.	3448	Pittshaw #31	Elk	B	225	225	225	215	215
Frederick Corporation	3449	Pittshaw #32	Jefferson	B	225	225	225	215	215
Greider, Frank J.	3414	Gardner	Indiana	C	225	225	225	215	215
Miller, Fred M.	3436	Knoxdale	Jefferson	D	225	225	225	215	215
Quinn, Fred L.	1919	Quinn	Jefferson	D	225	225	225	215	215
Rader, Myrtle B. (Mrs.)	3450	Stoker	Somerset	D	225	225	225	215	215
Samuel P. Miller									

\*When shown under a Size Group Number this symbol indicates coals previously classified for this Size Group.

[F. R. Doc. 42-3385; Filed, April 16, 1942; 10:58 a. m.]

[Docket No. A-1097, Part II]

## PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT AND PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER AND GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 7 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF GASTON COAL COMPANY,

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in this "Supplement R" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

## § 327.11 Low volatile coals: Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
255	Gaston Coal Company	Gaston #2	5	Poca, 3	Alpoa, W. Va.	VGN	14	D	F	E	D	A	B	B	B	B	B
265	Hayes, R. H. (Hayes Coal Co.)	Mead Poca, #3	5	Poca, 3	Mullens, W. Va.	VGN	14	D	(f)	(f)	(f)	(f)	B	B	B	B	(f)
508	Thompson, I. R.	Amick	1	Fire Creek	Rainelle Jet., W. Va.	C&O-NYC	19	D	(f)	(f)	(f)	(f)	B	B	B	B	(f)

†When shown under a Size Group Number this symbol indicates no classification effective for this Size Group.

[F. R. Doc. 42-3387; Filed, April 16, 1942; 10:55 a. m.]



[Docket No. A-1351]

PART 327—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 7

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 7 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES AND FOR THE REVISION OF MINIMUM PRICES FOR THE COALS OF NO. 8 MINE, MINE INDEX NO. 227 OF THE SLAB FORK COAL COMPANY IN DISTRICT NO. 7

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices and the revision of the price classifications and minimum prices effective for the coals of the No. 8 Mine, Mine Index No. 227, of Slab Fork Coal Company in District No. 7.

A Memorandum Opinion and Order Granting Temporary Relief and Conditionally Providing for Final Relief was issued in Docket Nos. A-618, A-700, A-711, and A-713 on May 16, 1941, 6 F.R. 2732, wherein, *inter alia*, Price Classification "C" in Size Group 7 for all shipments except truck and a minimum price of 205 cents per net ton in Size Group 4 for truck shipments were established for the coals of the Slab Fork Coal Company, a code member in District No. 7. This Opinion and Order stated that it appeared that, although the coals of other mines similarly located were classified "B" in Size Group 7, this was a newly opened seam producing a soft friable coal and that the softer structure of such coal justified a "C" classification.

The original petitioner now alleges that the development work on this mine has been completed and that tests of the coal now being produced indicate that price classifications and minimum prices should be established for the coals of the said mine similar to those heretofore established for the majority of other mines operating in the same seam and in the same subdistrict.

It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petitions of intervention have been filed with the Division in the above-entitled matter, and that the following action is necessary in order to effectuate the purposes of the Act.

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, for the coals of the No. 8 Mine, Mine Index No. 227, of Slab Fork Coal Company, § 327.11 (*Low Volatile coals: Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 7 For All Shipments Except Truck is supplemented to include Price Classifications "D" in Size Groups Nos. 1 and 2, "C" in Size Group No. 3, "A" in Size Groups Nos. 4 and 5, and "B"

in Size Groups Nos. 6, 8, and 9, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) in the Schedule of Effective Minimum Prices for Truck Shipments is supplemented to include minimum prices of 290, 250, 280, 195, and 190 cents per net ton in Size Groups Nos. 1, 2, 3, 5, and 6, respectively.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Effective fifteen (15) days from the date of this Order, for the coals of the No. 8 Mine, Mine Index No. 227, of Slab Fork Coal Company, § 327.11 (*Low volatile coals: Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 7 For All Shipments Except Truck, is revised to include Price Classification "B" in Size Group No. 7 and § 327.34 (*General prices in cents per net ton for shipment into any market area*) in the Schedule of Effective Minimum Prices for District No. 7 For Truck Shipments is revised to include a minimum price of 215 cents per net ton in Size Group 4.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within sixty (60) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final seventy-five (75) days from the date of this Order, unless it shall otherwise be ordered.

Dated: April 11, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3388; Filed, April 16, 1942;  
10:56 a. m.]

[Docket No. A-906, Part II]

PART 328—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 8

ORDER GRANTING RELIEF IN PART IN THE MATTER OF THE PETITION OF DISTRICT BOARD 8 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS IN SIZE GROUPS 1 TO 10, INCLUSIVE OF THE PRINCESS DOROTHY COAL COMPANY, PRINCESS DOROTHY MINE, MINE INDEX NO. 730, OF DISTRICT 8, FOR ALL SHIPMENTS EXCEPT TRUCK

A petition having been filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 by District Board 8, requesting *inter alia*, the establishment of price classifications and effective minimum prices for the coals produced for all shipments except truck to all market areas at the Princess Dorothy Mine (Mine In-

dex No. 730) of the Princess Dorothy Coal Company;

The Director having granted temporary and conditionally final relief, to which the Princess Dorothy Coal Company filed an intervening petition seeking further relief for the coals in Size Groups 1-10, inclusive, produced for all shipments except truck at its Mine Index No. 730;

The Director having issued an Order providing for the continuation of the temporary relief as to coals in Size Groups 1-10, inclusive, produced for all shipments except truck at Mine Index No. 730, and a petition of intervention having thereupon been filed by Island Creek Coal Company, a code member producer in District 8;

Pursuant to said Order of the Director, a hearing in this matter having been held before Travis Williams, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The preparation and filing of a report by the Examiner having been waived by the parties, and the record having been thereupon submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That § 328.11 (*Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 8 For All Shipments Except Truck be and it hereby is amended as follows:

Price classifications and applicable effective minimum prices for the coals in Size Groups 1-10, inclusive, produced in the Dorothy Seam at the Princess Dorothy Mine (Mine Index No. 730) of the Princess Dorothy Coal Company, are established therefor as follows:

FOR DESTINATIONS OTHER THAN  
GREAT LAKES

Size group	1, 2	3, 4	5, 6	7	8	9	10
Price classification.....	E	E	E	D	E	C	E

## FOR GREAT LAKES CARGO ONLY

Size group	1, 2	3, 4	5, 6	7	8	9	10
Price classification.....	G	G	G	E	C	C	E

The mine index number for the Princess Dorothy Mine of the Princess Dorothy Coal Company producing coals in the No. 5 Block Seam is changed from Mine Index No. 379 to Mine Index No. 730.

It is further ordered, That the intervening petition of the Princess Dorothy Coal Company in so far as it seeks the establishment of price classifications and effective minimum prices for the coals in Size Groups 1-10, inclusive, produced at its Princess Dorothy Mine (Mine Index No. 730) for all shipments except truck



other than those established herein be and the same hereby is denied.  
Dated: April 11, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3386; Filed, April 16, 1942;  
10:56 a. m.]

[Docket No. A-1393]

**PART 328—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 8**

**ORDER GRANTING TEMPORARY RELIEF AND  
CONDITIONALLY PROVIDING FOR FINAL RE-  
LIEF IN THE MATTER OF THE PETITION OF**

**NOTE:** The material contained in this "Supplement R" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and Supplements thereto.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

*It is ordered.* That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

*It is further ordered.* That pleadings in opposition to the original petition in

the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered.* That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: April 4, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

**§ 328.11 Alphabetical list of code members—Supplement R**

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No:	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group	Price classification by size group Nos.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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\*Indicates these size groups previously classified.

†Indicates no classification effective for these size groups.

[F. R. Doc. 42-3384; Filed, April 16, 1942; 10:57 a. m.]



[General Docket No. 24]

## PART 308—REPORTS AND RECORDS

ORDER ESTABLISHING RULES AND REGULATIONS REQUIRING TONNAGE REPORTS FROM CODE MEMBERS TO FACILITATE THE LEVYING AND COLLECTION OF CODE ASSESSMENTS BY DISTRICT BOARDS IN THE MATTER OF PRESCRIBING RULES AND REGULATIONS TO FACILITATE THE LEVYING OF CODE ASSESSMENTS BY DISTRICT BOARDS AND ESTABLISHING PROCEDURE FOR THE SUSPENSION OF CODE MEMBERSHIP FOR FAILURE TO PAY CODE ASSESSMENTS

The Bituminous Coal Division of the United States Department of the Interior having instituted this proceeding, pursuant to the provisions of section 2 (a) of the Bituminous Coal Act of 1937, concerning certain rules and regulations providing for the filing of tonnage reports by code members in order to facilitate the levying of code assessments by district boards, and to establish a procedure for the suspension of code membership for failure to pay code assessments;

Pursuant to a Notice of and Order for Hearing dated September 16, 1941, and after due notice to interested persons, a hearing in this matter having been held on October 20, 1941, before Scott A. Dahlquist, a duly designated Examiner of the Division, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard;

All parties having joined in the waiving of the preparation and filing of the Examiner's Report; and the record in this proceeding having been submitted to the undersigned:

The undersigned having duly considered all of the evidence adduced and all of the proposals, contentions, arguments and briefs filed by the parties to this proceeding, and having made Findings of Fact, Conclusions of Law, and rendered an Opinion which are entered herewith;

Now, therefore, it is ordered, That in accordance with the Findings of Fact, Conclusions of Law and Opinion entered herewith, the promulgation and adoption of the rules and regulations attached hereto as Appendix A requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards are found to be necessary in order to effectuate the purposes and carry out the provisions of the Bituminous Coal Act of 1937, and the same be, and are hereby promulgated and adopted.

It is further ordered, That Part 308 is amended by adding thereto § 308.26 (*Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards*) as set forth in Appendix A hereinafter set forth and hereby made a part hereof. (Sec. 2 (a), 50 Stat. 72; 15 U.S.C. 829 (a)).

It is further ordered, That the foregoing provisions of the order shall become effective at 12:01 a. m. on May 1, 1942.

It is further ordered, That jurisdiction of this proceeding be, and the same hereby is, retained for the purpose of pro-

mulgating and adopting additional rules and regulations as the need therefor may arise and be shown.

Dated: April 7, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

## Appendix A

§ 308.26 *Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards.* (a) On or before the fifth day of each month each code member shall report, in duplicate, on forms prescribed by the Division, the tonnage produced by it or him during the second preceding calendar month, to the Statistical Bureau of the Division in the District where such tonnage was produced.

(b) On or before the tenth day of each month, each Statistical Bureau of the Division shall transmit one copy of each report received in accordance with paragraph 1 hereof to the District Board for the district in which the mine of the code member submitting the report is located.

(c) On or before the fifteenth day of each month, each District Board shall certify in one instrument to the Division the name of each code member in its district for which a copy of the report prescribed in paragraph (a) of this section has not been received from the Statistical Bureau in accordance with paragraph (b) of this section. At the same time, the District Board shall notify each code member so cited by it to the Division of such certification by regular mail addressed to the last known address of such code member.

(d) Each code member so cited shall thereupon immediately cure its or his failure to file reports prescribed in paragraph 1 hereof.

(e) Any District Board may also file within 60 days of the effective date of these rules and regulations a duly verified petition with the Division praying that the Division issue orders directing code members for whom such District Board has inadequate tonnage reports upon which to predicate past assessments to file with the Division a report or statement of the tonnage produced by him during the period or periods which the District Board has used as the basis or bases of past assessment or assessments. At the time of filing such petition with the Division, the District Board shall send by registered mail to each code member named therein a conformed copy of such petition.

(f) Such petition shall set forth the names of the code members whose reports are desired, the names and mine index numbers of the mines of such code members, the production period or periods upon which past assessment or assessments were based for which the District Board has inadequate tonnage reports from such code members, a statement as to the efforts made by petitioner to obtain such information directly from the code members, and the reasons why such information was not so obtained.

(g) Upon the filing of any such petition, the Division, if it does not have

in its files the information requested, may issue an Order directing the designated code members to file with the Division, within ten days from receipt of such order, reports in duplicate of the tonnage produced during the designated period or periods. Upon receipt of such reports, the Division shall transmit copies thereof to the petitioner, and in cases where the Division has such data in its possession and no report has been required of the code member, the Division may submit the requested data to the petitioner.

This section shall become effective on May 1, 1942.

(h) Nothing herein contained shall affect the right of the Division to proceed against code members, for failure to file reports required by the Division, in any manner not herein provided.

[F. R. Doc. 42-3426; Filed, April 17, 1942; 10:38 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—War Production Board

## Subchapter B—Division of Industry Operations

## PART 1034—TUNG OIL AND OITICICA OIL

GENERAL PREFERENCE ORDER NO. M-57, AS  
AMENDED APRIL 15, 1942

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tung oil and oiticica oil, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1034.1 *General Preference Order M-57—(a) Definitions.* For the purpose of this Order:

(1) "Tung oil" means that oil pressed from the tung nut, frequently referred to as China wood oil, whether raw, filtered, refined, blown, or mixed or blended with any other oils, and whether produced or pressed from nuts grown in this country or abroad.

(2) "Oiticica oil" means that oil pressed from the oiticica nut, whether liquid, condensed or solid, or whether raw, filtered, refined, blown, or mixed or blended with any other oil.

(b) *Restrictions on use and processing of tung oil and oiticica oil.* After the effective date of this Order no person shall use or process any tung oil or oiticica oil, except upon the following categories of orders:

(1) Defense orders having Preference Ratings of A-2 or better.

(2) Orders placed by Defense Supplies Corporation.

(3) Orders for the manufacture of can linings for cans to contain food products for human consumption.

(4) Orders for the manufacture of outside can coatings where wood oil is essential to withstand normal food processing.



(5) Orders for uses to comply with underwriters' regulations, health sanitary or safety regulations or laws issued by Government authority, provided the pertinent provisions of such laws or regulations were in effect both on December 1, 1941, and on the date of such use and specifically require the use of tung oil or oiticica oil or a product required specifically to be made from tung oil or oiticica oil.

(c) *Miscellaneous provisions.* (1) *Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(2) *Violations.* Any person who willfully violates any provision of this Order or who, in connection with this Order willfully conceals a material fact or willfully furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(3) *Appeals.* Any person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of tung oil or oiticica oil conserved, or that compliance with this Order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director of Industry Operations by addressing a letter to the War Production Board, Chemicals Branch, Washington, D. C. Ref.: M-57, setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Washington D. C. Ref.: M-57. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

This amendment shall take effect April 15, 1942, and shall continue in effect until revoked by the Director of Industry Operations.

Issued this 15th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3410; Filed, April 16, 1942;  
5:03 p. m.]

No. 76—2

## PART 1046—SUPPLIERS

### EXEMPTION NO. 1 TO SUPPLIERS' INVENTORY LIMITATION ORDER L-63<sup>1</sup>

§ 1046.4 *Exemption No. 1 to Suppliers' Inventory Limitation Order L-63.* (a) Pursuant to paragraph (b) (5) of Suppliers' Inventory Limitation Order L-63, the Director of Industry Operations hereby exempts from the provisions of said Order warehouses as defined in Order M-21-b, as to materials referred to in Schedules A and B of said Order M-21-b.

Accordingly, it is not necessary for such warehouses to include in the monthly record and report required by paragraph (e) of said Order L-63, those materials referred to in Schedules A and B of Order M-21-b.

Also, the inventory limitations imposed by paragraphs (b) (1) and (2) of Order L-63 are not applicable to said materials, but are applicable to other materials falling within the definition of "Supplies" in said Order.

(b) This Exemption shall take effect immediately, and shall continue in effect until amended or revoked by the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 17th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3429; Filed, April 17, 1942;  
10:41 a. m.]

## PART 1098—RHODIUM

### AMENDMENT NO. 1 OF CONSERVATION ORDER NO. M-95<sup>2</sup>

Section 1098.1 *Conservation Order No. M-95* is hereby amended as follows:

By striking out the words "*Prohibiting the Electro Plating or Deposition of Rhodium on Jewelry*" in the heading of the Order.

By relettering paragraphs (b) and (c) of the Order as paragraphs (c) and (d) respectively, and inserting a new paragraph (b) to read as follows:

(b) *Prohibitions on the use of rhodium in the manufacture of jewelry.* (1) *Prohibition against sale.* After the date hereof no person shall sell or deliver (including deliveries under toll agreements) rhodium or rhodium alloys to any other person for use in the manufacture of jewelry.

(2) *Prohibition against purchase.* After the effective date hereof no person shall purchase or receive (including receipts under toll agreements) from any other person any rhodium or rhodium alloys for use in the manufacture of jewelry.

(3) *Prohibition against use.* After the effective date hereof no person shall

<sup>1</sup> 7 F.R. 2630.

<sup>2</sup> 7 F.R. 1979.

use rhodium or rhodium alloys in the manufacture of jewelry unless such use has been specifically authorized by the Director of Industry Operations.

By adding to paragraph (c) (7) of the Order as so amended, new subparagraphs (vi) and (vii) to read as follows:

(vi) "Rhodium" means rhodium metal in any form including primary, secondary and scrap.

(vii) "Rhodium alloy" means any mixture of metals containing more than 1/10 of 1% of rhodium in the form of sheet, wire, or semi-finished findings, or in any other form, including primary, secondary and scrap.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

This Amendment shall take effect immediately and shall continue in effect until December 31, 1942. Issued this 17th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3427; Filed, April 17, 1942;  
10:41 a. m.]

## PART 1150—HONEY

### AMENDMENT NO. 1 TO GENERAL PREFERENCE ORDER NO. M-118<sup>1</sup>

Paragraph (c) (3) of § 1150.1, *General Preference Order No. M-118*, is hereby amended to read as follows:

(3) Notwithstanding the restrictions of paragraph (c) (2), any person may use, in the manufacture of other products, a total of not more than sixty (60) pounds of honey in any month of 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

This Amendment shall take effect immediately. Issued this 17th day of April 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3428; Filed, April 17, 1942;  
10:41 a. m.]

## PART 1151—TUBES

### LIMITATION ORDER L-76

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron or steel and other critical materials for defense, for private account and for export; and the following Order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1151.1 *General Limitation Order L-76—(a) Definitions.* For the purposes of this Order:

<sup>1</sup> 7 F.R. 2388.



(1) "Tube" means any device consisting of an evacuated enclosure containing a number of electrodes between two or more of which conduction of electricity through the vacuum or contained gas may take place.

(2) "Manufacture" means the sealing in and the exhausting of the mount tube assemblies.

(3) "Producer" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, engaged in the production of tubes.

(4) "Tube type number" means either those designations given in the commercial and technical literature of producers of tubes, or those designations given by the Tube Division of the Radio Manufacturers Association of America, for each specific type of tube.

(5) "Preferred order" means tubes produced under a specific order, contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act), or produced with the assistance of a Preference Rating of A-1-j or higher.

(b) *General restrictions.* (1) From the effective date of this Order, no producer shall manufacture any tubes of the type listed in List "A," as amended from time to time.

(2) The restrictions contained in subparagraph (1) of this paragraph shall not apply to Preferred Orders.

(c) *Records.* All persons affected by this Order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

(d) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(e) *Violations.* Any person who wilfully violates any provision of this Order, or who, in connection with this Order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Reports.* All persons affected by this Order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(g) *Communications to War Production Board.* All reports required to be filed hereunder and all communications

concerning this Order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: L-76.

(h) *Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(i) *Effective date.* This Order shall take effect seven days after the date of its issuance. (P.D. Reg. 1, amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 17th day of April, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

#### LIMITATION ORDER L-76

##### List "A"

Pursuant to the restrictions contained in paragraph (b) (1) of Limitation Order L-76, no producer shall manufacture any tubes of the type listed below:

00A	1L5G	4
0Z3	1L5GT	4A1
01A	1LB6	4A6G
01AA	1LC5	5
1A1	1M5G	5T4
1A1/5E1	1N1	5V3G
1A5G	1N5G	5W4
1A7G	1N6G	5W4G
1B1	1N6GT	5X3
1B4	1P1	5Y3G
1B4P	1P5G	5Z4G
1B4P/951	1Q1	5Z4MG
1B7G	1Q5G	6
1B8GT	1R1G	6A4
1C1	1R4	6A4/LA
1C4	1S1G	6A5G
1C5G	1T1G	6A6X
1D1	1T4GT	6A7S
1D2	1T5G	6A8MG
1D4	1U1	6AB5
1D7G	1W1	6AB6G
1E1	1Y1	6AC5G
1E2	1Z1	6AC6G
1E4G	2	6AC6GT
1E5G	2A3H	6AD5G
1E5GP	2A7S	6AD5GT
1E5GT	2B6	6AD6G
1E7G	2B7	6AE5G
1F1	2B7S	6AE5GT
1F7GH	2E5	6AE6G
1F7GV	2G5	6AE7GT
1G1	2S/4S	6AF5G
1G4G	2W3	6AF6GT
1G5GT/G	2W3GT	6AF7G
1G6G	2X3G	6AG5GT
1G6GT	2Y2	6AG6G
1G7GT/G	2Y3	6AH5G
1H5G	2Y4	6AL6G
1J1	2Z2	6B6
1J5G	2Z2/G84	6B7S
1K1	3	6B8GT
1K4	3B8GT	6C5G
1K5G	3C5GT	6C5MG
1K6	3LE4	6C7
1K7G	3Q5G	6C8GT
1L1	3S5	6D5G

6D5MG	6Z5	25S
6D6G	6Z5/12Z5	25X6GT
6D7	6Z6MG	25Y4GT
6D8	6Z7G	25Y5
6E4GT	7	25Z3
6E6	7A7LM	25Z4
6E7	7B5LT	25Z4GT
6E8G	7B6LM	25Z5MG
6F5MG	7B8LM	25Z6G
6F7S	7C5LT	
6G5	7D7	27S
6G7	7G7	29
6G7S	7N5	31
6H4G	7R7	35A5LT
6H5	8	35L6G
6H6G	9	
6H6MG	WD11	35RE
6H7S	WD12	35S/51S
6H8G	WX12	35Z3LT
6J5G	12A	35Z5G
6J5GX	12A5	
6J6GT		35Z6GT
6J7MG	12A8G	40
6K6G	12B6	45A
6K6MG	12B7	46A1
6K7MG	12C8GT	46B1
6L6GT	12E5GT	48
6L6GX	12J5G	49
6M6G	12J7G	50C6G
6M7G	12K7G	50L6G
6M8GT	12K8GT	
6N5	12Q7G	50Y6G
6N5G	12S7GT	
6N6	12SA7G	50Z6G
6N6GT		50Z6GT
6N6MG	12SC7GT	50Z7G
6N7G		51
6N7GT		52
6P5G	12SK7G	55
		55S
6P6		56AS
6P7G	12Z5	56S
6P8G	14	57AS
6Q6	14A4	57S
6Q6G	14A7	58AS
6Q7MG	14B6	58S
6R6G	14B8	64
6S5	14C5	65
6S6GT	14E6	68
6SE7GT	14E7	69
6T5	14F7	70
6T6	14N7	70A7GT
6T7G/6Q6G	14Y4	70L6GT
6U5	15	75S
6V4G	17	79
6V5G	18	82V
6V6G	20	85AS
6V6GX	22	87S
6V7G	24	88S
6W5G	24S	89
6W6GT	25A6	95
	25A6G	V99
6X5		X99
6X5G	25A7G	117E4GT
6X6G		117L7GT
6Y3G	25AC5G	117M7GT
6Y5		117Z6G
6Y5G	25B5	117Z6GC
6Y5GT	25B6G	182B/482B
6Y5S	25B8GT	183/483
6Y5V	25D8GT	401
6Y6	25L6	485
6Y6GT	25L6G	950
6Y7G		1232
6Z3	25N6G	1852
6Z4	25RE	1853



## PART 1196—COMPRESSORS

## GENERAL LIMITATION ORDER L-100

The fulfillment of requirements for the defense of the United States has created a shortage in the production of compressors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1196.1 General Limitation Order L-100—(a) *Definitions*. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not and includes the Army and Navy of the United States.

(2) "Manufacturer" means any person producing Critical Compressors, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said Manufacturer.

(3) "Critical compressor" means any crank and flywheel type horizontal reciprocating compressor or dry vacuum pump having a displacement of 50 cubic feet per minute or more, or any other reciprocating compressor having a displacement of 300 cubic feet per minute or more, and includes new, second hand and reconditioned equipment.

(b) *Restrictions upon placing of orders*. No person shall place an order for a critical compressor unless expressly authorized to do so by the Director of Industry Operations on Form PD-420. Persons so authorized shall place any such order only with the supplier specified on Form PD-420. Each person desiring to secure such authorization shall file with the War Production Board, in duplicate, Form PD-415, with the information specified thereon. Persons possessing such authorization on Form PD-420 shall transmit the same to the specified supplier.

(c) *Restrictions on acceptance of orders or delivery by manufacturers*. (1) On and after the effective date of this order no Manufacturer or other person shall accept an order for a Critical Compressor unless placed by a person who transmits an authorization to place such order issued by the Director of Industry Operations on Form PD-420, and specifying the manufacturer or other person.

(2) Any Manufacturer with whom an order authorized by the Director of Industry Operations on Form PD-420 is placed must accept the same, unless the person seeking to place the order is unwilling or unable to meet regularly established prices and terms of sale or payment. No Manufacturer shall discriminate against such orders in establishing such prices or terms.

(3) On and after the effective date of this order, regardless of the terms of any contract of sale or purchase or other commitment, or of any preference rating certificate or blanket preference rating order, no Manufacturer or other person shall deliver, or otherwise transfer, any

critical compressor unless expressly authorized by the Director of Industry Operations in accordance with the procedure set forth in paragraph (d) hereof.

(d) *Manufacturers' procedure for securing authorization of Director of Industry Operations*. (1) Every manufacturer or other person having critical compressors available for distribution shall apply for authorization to deliver, or otherwise transfer critical compressors now available for distribution, or expected to be available to be available before May 1, 1942, by filing with the Director of Industry Operations in quadruplicate, a statement plainly marked Ref: L-100, containing the following information:

(i) A list of all critical compressors now available for distribution or expected to be available for distribution prior to May 1, 1942, including critical compressors on consignment at any point or in the hands of controlled sales and distribution outlets.

(ii) A list of all orders for critical compressors on the books as of the date of this order, together with the name of the purchaser, the date of the order, the number of pieces of machinery, a description of the machinery, the rating assigned, the Preference Rating Certificate number, if any, (or blanket preference rating order and serial number) the specified delivery date, the estimated actual delivery date, and the expected use to which the machinery will be put.

The Director of Industry Operations may thereupon, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of any such orders, direct the sequence of deliveries, allocate such orders to other manufacturers or allocate critical compressors in process or completed to other users.

(2) Every Manufacturer or other person having critical compressors available for distribution shall apply for authorization to deliver critical compressors in any month, beginning with the month of May, by filing with the War Production Board, in quadruplicate, on or before the twenty-fifth day of the month preceding, Form PD-416, with the information specified thereon.

The Director of Industry Operations may thereupon, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of any such orders, direct the sequence of deliveries, allocate such orders to other Manufacturers, or allocate Critical Compressors in process or completed to other users.

(e) *Applicability of Priorities Regulation No. 1*. This order and all transactions affected thereby are subject to the provisions of Priorities Regulations No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(f) *Appeals*. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may

appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: L-100.

(h) *Violations*. Any person who willfully violates any provision of this order, or who willfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(i) *Records and reports*. All manufacturers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for critical compressors.

All manufacturers affected by this order shall execute and file with the Division of Industry Operations, War Production Board, such reports and questionnaires as said Division shall from time to time request.

(j) *Effective date*. This order shall take effect immediately and shall continue in effect until revoked by the Director of Industry Operations. (P.D. Reg. 1, amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 17th day of April, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-3430; Filed, April 17, 1942;  
10:42 a. m.]

## Chapter XI—Office of Price Administration

## PART 1309—COPPER

AMENDMENT NO. 3 TO REVISED PRICE SCHEDULE NO. 20<sup>1</sup>—COPPER AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (a) of § 1309.69 is amended, subparagraphs (23) to (29), inclusive, of paragraph (b) of § 1309.69 are revoked, new subparagraphs (23) to (26), inclusive, are added to paragraph (b) of § 1309.69, and a new paragraph (c) is added to § 1309.68a to read as follows:

§ 1309.69 Appendix A: Maximum prices—(a) Maximum prices f. o. b.

<sup>1</sup> 7 F.R. 1131, 1245, 1643, 1836.



point of shipment. (1) This Revised Price Schedule No. 20 does not include cupro-nickel alloy scrap, maximum prices for which are established by Price Schedule No. 8<sup>2</sup> covering pure nickel scrap and certain other scrap, or copper and copper alloy scrap which is a by-product of the fabrication of new sheet, tube, rod or other brass mill products, maximum prices for which are established by Price Schedule No. 12.<sup>3</sup>

(2) Minimum specifications for each of the grades of copper and copper alloy scrap for which a specific maximum price is established in this paragraph (a) are set forth in paragraph (b) of this section. The footnotes to this paragraph (a) (3) allow certain deviations from some of these specifications, provided that certain adjustments are made from the maximum price. The maximum price for any kind or grade of copper or copper alloy scrap, in which the weight of copper metal equals or exceeds the weight of all other metal contained and which does not meet any of such specifications or come within the deviation allowed by the footnotes to this paragraph (a), shall be a price properly reflecting the reduction in prices effected by Price Schedule No. 20 and amendments thereto and the differential which normally prevailed prior to February 5, 1942 between the price for such kind or grade and the price for the most nearly similar grade for which a specific maximum price is established in this paragraph (a).

(3) The following are maximum prices:

Item No.	Kinds or grades of scrap	Maximum prices per pound of material f. o. b. point of shipment <sup>1</sup>
		Cents
1	No. 1 copper wire.....	10.00
1	No. 1 heavy copper.....	10.00
1	No. 2 copper wire.....	9.00
1	Mixed heavy copper.....	9.00
1	Light copper.....	8.00
2	Bell metal.....	14.50
2	High-grade bronze gears.....	12.75
2	Babbitt-lined brass bushings.....	12.75
2	Red trolley wheels.....	10.75
2	Hard red machinery brass.....	10.00
2	Soft red brass.....	9.50
2	Soft red brass borings.....	9.25
2	Aluminum bronze (Ford) gears.....	9.00
3	Unlined standard red car boxes.....	8.50

<sup>1</sup> For the purposes of the quantity premiums provided for in paragraph (f) of this section, all kinds or grades preceded by the same item number may be considered as one item.

<sup>2</sup> The prices set forth in this table are maximum prices f. o. b. freight cars, trucks or other means of transportation at the point of shipment, and include all commissions and service charges. Any copper or copper alloy scrap sold "where is" shall be sold at a price less than the applicable maximum price by an amount reflecting the cost of loading the material for shipment to the consumer.

<sup>3</sup> If the copper content of No. 2 copper wire or mixed heavy copper is more than 96% or less than 96% but not less than 95%, or if the copper content of light copper scrap is more than 92% or less than 92% but not less than 90%, then in any such case the maximum price per pound of material shall be increased or decreased at the rate of 0.1175 cents for each 1% variation in copper content with proportionate adjustments for variations of less than 1%.

<sup>4</sup> If soft red brass borings contain more than 2% combined iron, oil and other moisture, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of combined iron, oil and other moisture in excess of 2%.

<sup>5</sup> 6 F.R. 2654, 3154, 4634, 7 F.R. 1224, 1836, 2132, 2424, 2818.

<sup>6</sup> 6 F.R. 3594, 5041, 6798, 7 F.R. 1234, 1836, 2132.

Item No.	Kinds or grades of scrap	Maximum prices per pound of material f. o. b. point of shipment
		Cents
3	Lined standard red car boxes.....	8.00
4	Cocks and faucets.....	8.25
2	Red brass breakage and red carburetors with iron screws.....	8.00
5	Old rolled brass.....	8.00
5	Brass pipe.....	8.00
5	Clean fired rifle shells.....	8.00
5	Admiralty condenser tubes.....	7.50
5	Muntz metal tubes.....	7.00
5	Reflectors.....	6.75
6	Yellow brass castings.....	7.25
6	Refinery brass (copper content by electrolytic assay 60.01% or more).....	Dry copper content x 9.25
6	Refinery brass (copper content by electrolytic assay 50.01% to 60.00%).....	Dry copper content x 9.00
7	Automobile radiators.....	7.50

<sup>1</sup> If red brass breakage and red carburetors with iron screws contain more than 10% iron, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of iron in excess of 10%.

<sup>2</sup> Dry copper content means copper content as determined by electrolytic assay, less 1.3 units (26 pounds of copper per ton of material).

<sup>3</sup> If less than 20 tons of refinery brass is included in a "shipment at one time", as used in this section, the consumer may buy and pay for the material by making an estimate of its copper content rather than an electrolytic assay provided that in such event the maximum price shall not exceed 5.50 cents per pound of material.

<sup>4</sup> If automobile radiators contain any iron, the maximum price per pound of material shall be reduced 1%, or the weight of the material paid for shall be reduced 1%, for each 1% of iron. If the top and bottom tanks have been removed, the maximum price for the unsweated radiator core shall be reduced by 0.25 cents per pound.

#### (b) Specifications.

(23) Reflectors shall consist exclusively of clean automobile reflectors and must be free from iron and solder.

(24) Yellow brass castings shall have a copper content of not less than 65%; shall consist exclusively of yellow brass castings, and shall be free of brass containing manganese, aluminum or silicon, and of brass forgings, dirt or iron.

(25) Refinery brass shall consist of miscellaneous brass solids, borings and turnings having a copper content of more than 50%.

(26) Automobile radiators shall consist of mixed unsweated automobile radi-

ators complete with top and bottom tanks, and shall be free of iron.

§ 1309.68a Effective dates of amendments.

(c) Amendment No. 3 (§§ 1309.69 (a) and (b) and 1309.68a (c)) to Revised Price Schedule No. 20 shall become effective April 17, 1942. Contracts which were entered into between February 27, 1942 and April 16, 1942, incl., in accordance with the provisions of Revised Price Schedule No. 20, as effective during that period, may be carried out in accordance with their terms until June 1, 1942, notwithstanding any of the other provisions of Amendment No. 3.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of April 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-3412; Filed, April 16, 1942; 5:16 p. m.]

#### PART 1309—COPPER

##### ORDER NO. 1 UNDER REVISED PRICE SCHEDULE NO. 15<sup>1</sup>—COPPER

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

§ 1309.150 Granting permission to certain companies to carry out contracts entered into prior to August 12, 1941.

(a) The sellers named in paragraph (b) may sell and deliver or make settlement for the kinds and grades of copper set forth in paragraph (b) in the amounts, to the buyers and at prices not in excess of those stated therein. The buyers named in paragraph (b) may buy and receive or make settlement for the kinds and grades of copper, in the amounts, from the companies, and at prices not in excess of those stated therein:

<sup>1</sup> 7 F.R. 1237, 1836, 2132.

(b)

Seller	Buyer	Amount	Grade <sup>1</sup>	Price <sup>2</sup>
		Pounds		
American Metal Co., Ltd....	White Metal Rolling & Stamping Corp.	10,000	Electrolytic...	12.625¢ Brooklyn, N. Y.
American Metal Co., Ltd....	White Metal Rolling & Stamping Corp.	20,000	Electrolytic...	12.75¢ Brooklyn, N. Y.
American Metal Co., Ltd....	Chicago Extruded Metals Company.	100,000	Electrolytic...	12.625¢ Cicero, Ill.
American Metal Co., Ltd....	Reynolds Metal Co.....	310,000	Electrolytic...	12.375¢ Conn. Val.
American Metal Co., Ltd....	Foster Wheeler Corp.....	25,000	Electrolytic...	12.50¢ Refinery.
American Metal Co., Ltd....	Western Cartridge Co.....	1,168,000	Electrolytic...	12.625¢ East Alton, Ill.
American Metal Co., Ltd....	Revere Copper & Brass, Inc.	198,000	Electrolytic...	12.50¢ Conn. Val.
International Minerals & Metals Corp.	Western Cartridge Co.....	1,967,000	Electrolytic...	12.50¢ East Alton, Ill.
International Minerals & Metals Corp.	Baer Brothers.....	250,000	Electrolytic...	12.50¢ Conn. Val.
International Minerals & Metals Corp.	Electric Boat Co.....	1,820,000	Electrolytic...	12.2018¢ Conn. Val.
International Minerals & Metals Corp.	National Lead Co.....	60,000	Electrolytic...	12.625¢ Chicago, Ill.
International Minerals & Metals Corp.	Central Cable Corp.....	320,000	Electrolytic...	12.50¢ Conn. Val.

<sup>1</sup> The prices set forth are for electrolytic copper in the shape of wire bars or ingot bars and casting copper in the shape of ingot bars or small ingots. For any other shape or form, the premium or discount customary on August 11, 1941 shall be added or subtracted to arrive at the applicable maximum price.

<sup>2</sup> The prices set forth are delivered prices at the buyer's plant in the city indicated except where the price is specifically stated as f. o. b. refinery.



Seller	Buyer	Amount	Grade	Price
Lewin-Mathes Company	Western Cartridge Co.	2,887,000	Electrolytic	12.50 East Alton, Ill.
Adolph Lewisohn & Sons, Inc.	Metal Traders, Inc.	253,305	Electrolytic	12.50 Conn. Val.
Shattuck Denn Mining Corporation.	Metal Traders, Inc.	224,000	Electrolytic	12.50 Conn. Val.
White Bros. Smelting Corporation.	U. S. Gauge Company	28,727	Casting	12.25 f. o. b. Refinery.
White Bros. Smelting Corporation.	Sargent Company	40,000	Casting	12.25 f. o. b. Refinery.
White Bros. Smelting Corporation.	North & Judd Manufacturing Company	25,042	Casting	12.25 f. o. b. Refinery.
White Bros. Smelting Corporation.	Detroit Lubricator	30,683	Casting	12.25 f. o. b. Refinery.

(c) The permission granted to the companies listed in paragraph (b) of this Order No. 1 is subject to the following conditions:

(1) All sales, deliveries, or settlements under the authority of this Order No. 1 must be completed prior to July 1, 1942.

(2) No delivery of copper shall be made under the authority of this Order No. 1 unless such delivery has been authorized by the War Production Board.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective as of March 1, 1942.

(Public Law 421, 77th Cong.)

Issued this 16th day of April 1942.

LEON HENDERSON,  
Price Administrator.

[F. R. Doc. 42-3414; Filed, April 16, 1942;  
5:17 p. m.]

#### PART 1337—RAYON

##### REVISED PRICE SCHEDULE NO. 23<sup>1</sup> AS AMENDED—RAYON GREY GOODS

A statement of considerations involved in the issuance of this Revised Price Schedule No. 23 as amended has been prepared and is issued simultaneously herewith and filed with the Division of the Federal Register.

The title, preamble and §§ 1337.11 to 1337.22 of Revised Price Schedule No. 23 are renumbered and amended to read as follows:

In the judgment of the Price Administrator the prices of rayon grey goods have risen and are threatening further to rise in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rayon grey goods prevailing between October 1 and 15, 1941 and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be gen-

erally fair and equitable and will effectuate the purposes of the Act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, Revised Price Schedule No. 23 as amended is hereby issued.

AUTHORITY: §§ 1337.1 to 1337.13, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1337.1 *Maximum prices for rayon grey goods.* (a) On and after April 21, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver rayon grey goods and no person shall buy or receive rayon grey goods in the course of trade or business at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1337.13, and in paragraph (b) of this section; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That contracts entered into prior to April 21, 1942 under the terms of and at prices in conformance with Revised Price Schedule No. 23 may be carried out at the contract prices.

(b) The maximum price for any construction of rayon grey goods not enumerated in Appendix A, § 1337.13, shall be a price in line with the maximum price for the nearest related construction so enumerated. The term "in line with" means having a justifiable relation to such maximum price with commensurate increases or decreases to give effect to the differences in costs of the yarn used and in the weaving costs, taking into account differences in (1) the number of picks, (2) the number of ends, (3) the width and (4) the weave.

§ 1337.2 *Less than maximum prices.* Lower prices than the maximum prices established herein may be charged, demanded, paid or offered.

§ 1337.3 *Conditional agreements.* No manufacturer of rayon grey goods shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided herein, in the event that this Revised Price Schedule No. 23 as amended is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Adminis-

trator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception as the case may be). Requests for such an exception may be in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1337.4 *Records.* (a) Every person making purchases or sales of rayon grey goods in the course of trade or business after August 25, 1941, whether or not of the constructions enumerated in Appendix A (§ 1337.13), shall keep for inspection by the Office of Price Administration for a period of not less than two years: (1) complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer and seller, the price paid or received and the quantity in yards of each construction purchased or sold; and (2) copies of each contract of sale and invoice or similar document containing the details required in § 1337.5.

(b) Every manufacturer of rayon grey goods shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records setting forth: (1) a full description of each construction of rayon grey goods, whether or not of the constructions enumerated in Appendix A (§ 1337.13), manufactured or sold, including (i) the width, specifying whether in or off the loom, (ii) the cloth count, i. e., the number of ends per inch, specifying whether in or off the loom, and the number of picks per inch and (iii) a full description of the yarn both in the warp and in the filling, specifying in each case the denier and number of filaments, the process by which made, the twist or combination, if any, and, if a blend, the percentages and processes of each type of staple fiber so blended; and (2) the quantity in yards of each construction of rayon grey goods, whether or not of the constructions enumerated in Appendix A (§ 1337.13) produced during each calendar month.

(c) The manufacturer shall assign a style number in his records to each construction of rayon grey goods. Any change in the construction of such a fabric shall necessitate the assignment of a new Style Number.

§ 1337.5 *Details required in contract of sale and invoice.* (a) Every seller of rayon grey goods of the constructions enumerated in Appendix A (§ 1337.13) shall, with respect to each sale thereof, deliver to the purchaser a contract of sale which shall contain, in addition to the terms thereof, a full description of each construction of rayon grey goods sold, including (1) the width, specifying whether in or off the loom, (2) the cloth count, i. e., the number of ends and picks per inch, specifying whether in or off the loom, and (3) a full description of the yarn both in the warp and in the

<sup>1</sup> 7 F.R. 1251, 1836, 2000, 2132.



filling, specifying in each case the denier and number of filaments, the process by which made, the twist or combination, if any, and, if a blend, the percentages of each type of yarn so blended.

(b) With each delivery of rayon grey goods, whether or not of the constructions enumerated in Appendix A (§ 1337.13) there shall be transmitted to the purchaser an invoice or similar document which shall contain a Style Number or symbol sufficient to identify it in the manufacturer's records maintained pursuant to § 1337.4, the details of each construction so delivered.

§ 1337.6 *Reports.* On or before May 10, 1942, and on or before the 10th day of each month thereafter each manufacturer of rayon grey goods shall submit to the Office of Price Administration on the appropriate form such of the following reports as are applicable to him:

(a) *Production and sales reports.* (1) A report in the detail required by the form to be furnished by the Office of Price Administration showing the total yardage of rayon grey goods manufactured during the preceding calendar month, including as separate items (i) the yardage of the fabrics enumerated in Appendix A (§ 1337.13), (ii) the yardage of the fabrics which are so closely related to one of the constructions enumerated in Appendix A (§ 1337.13) that the selling price does not vary more than 10% from the maximum price established for the nearest related fabric enumerated in Appendix A (§ 1337.13), and (iii) the yardage of all other fabrics.

(2) A report in the detail required by the form to be furnished by the Office of Price Administration for each fabric of which 10,000 yards or more was manufactured in the preceding month, which is so closely related to a construction enumerated in Appendix A (§ 1337.13), that the selling price does not vary by more than 10% from the maximum price established for the nearest related fabric enumerated in Appendix A (§ 1337.13). In the event that such fabric was not sold, either for immediate or future delivery, during the month in which it was manufactured, every manufacturer of such rayon grey goods shall report the selling price indicating the highest sales price for said fabric within ten days after the first of the month succeeding the sale.

(3) A report in the detail required by the form to be furnished by the Office of Price Administration for each fabric of which 10,000 yards or more was manufactured in the preceding month not reported under subparagraphs (1) and (2) of this paragraph. In the event that such fabric was not sold, either for immediate or future delivery, during the month in which it was manufactured, every manufacturer of such fabric shall report, as a supplement to the production report previously filed, the selling price, indicating the highest sales price for said fabric and the month of sale, within ten days after the first of the month succeeding the sale.

(4) Every commission weaver shall submit to the Office of Price Administration such of the above reports as are applicable to the constructions of rayon

grey goods manufactured by him. Instead of the selling price, each report filed shall indicate that the goods were manufactured by a commission weaver and shall enumerate all of the services performed and the charges received.

(5) There shall also be submitted to the Office of Price Administration such other reports as it may from time to time require and deem advisable.

§ 1337.7 *Official interpretation of price of new fabric.* A manufacturer of rayon grey goods may file with the Office of Price Administration, either prior or subsequent to the production of a new fabric, a request for the interpretation of § 1337.1 (b) in so far as it applies to the price charged or to be charged for such fabric.

§ 1337.8 *Evasion.* The price limitations set forth in this Revised Price Schedule No. 23 as amended shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rayon grey goods, alone or in conjunction with any other commodity, or by use of commission, service, transportation or other charge or discount premiums, or other privilege, or by tying agreement, trading, or other trade understanding, or otherwise.

§ 1337.9 *Petitions for amendment.* Persons seeking any modification of this Revised Price Schedule No. 23 as amended or an adjustment or exception not provided for therein, may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 (§§ 1300.1 to 1300.56, inclusive) issued by the Office of Price Administration.

§ 1337.10 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 23 as amended are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Revised Price Schedule No. 23 as amended or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1337.11 *Definitions.* (a) When used in this Revised Price Schedule No. 23 as amended, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other government thereof or any of its political subdivisions or any agency of the foregoing;

(2) "Rayon" means fibers chemically produced from cellulose or with a cellulose base by the viscose, acetate or cuprammonium process;

(3) "Rayon grey goods" means a fabric manufactured from chemically produced fibers made from cellulose or with a cellulose base, woven, but not printed, dyed or finished, and shall include any fabric which shall be constructed in any one of the following manners:

(i) Any fabric so constructed that 80% or more of its ends by count in the warp shall consist of rayon;

(ii) Any fabric so constructed that 80% or more of its picks by count in the filling shall consist of rayon;

(iii) Any fabric constructed with a plied yarn in the warp and the filling, where one of the threads in the ply used in the warp and the filling is rayon yarn even though the total weight content of the rayon is less than 50% of the total weight of the fabric; and

(iv) Any fabric so constructed that 50% or more of its total weight content is composed of rayon, except for fabrics containing 25% or more of wool that are woven on a woolen loom.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1337.12 *Effective date of revised price schedule No. 23 as amended.* Revised Price Schedule No. 23 as amended (§§ 1337.1 to 1337.13, inclusive) shall become effective April 21, 1942.

§ 1337.13 *Appendix A; maximum prices for rayon grey goods.* (a) The terms of sale are net 60 days, f. o. b. seller's mill. The maximum prices established herein shall not be increased by any charges for the extension of credit and where payment is made in less than 60 days, the maximum prices herein shall be reduced at the rate of 6% per annum: *Provided*, That nothing herein contained shall be construed as requiring the extension of any credit by a seller.

#### (1) TAFFETA

Fabric No. and type	Width <sup>1</sup>	Ends and picks <sup>1</sup>	Warp <sup>2</sup>	Filling <sup>2</sup>	Price per yard
1-5.....	39"	68 x 40.....	150V. (Under 60 fl.).....	150V. (Under 60 fl.).....	Cents 12½
1-10.....	39"	68 x 42.....	150V. (Under 60 fl.).....	150V. (Under 60 fl.).....	12½
1-15.....	41"	68 x 42.....	150V. (Under 60 fl.).....	150V. (Under 60 fl.).....	13
1-20.....	41½"	68 x 44.....	150V. (60 fl. or more).....	150V. (60 fl. or more).....	14½
1-25.....	40½"	72 x 42.....	150V. (Under 60 fl.).....	150V. (Under 60 fl.).....	13½
1-30.....	39"	72 x 44.....	150V. (Under 60 fl.).....	150V. (Under 60 fl.).....	13½
1-35.....	41½"	72 x 48.....	150V. (60 fl. or more).....	150V. (60 fl. or more).....	15½
1-40.....	40½"	72 x 56.....	150V. (Under 60 fl.).....	150V. (Under 60 fl.).....	15½
1-45.....	40½"	72 x 56.....	150V. (Under 60 fl.).....	150V. (60 fl. or more).....	15½
1-50.....	40½"	72 x 56.....	150V. (60 fl. or more).....	150V. (60 fl. or more).....	16

<sup>1</sup> Dash over width and dash over warp ends indicates width in inches in reed and ends per inch in loom reed, respectively.

<sup>2</sup> "A" indicates acetate, "V" indicates viscose.



TWILLS—Continued

Fabric No. and type	Width	Ends and picks	Warp	Filling	Price per yard
2-75	42"	112 x 66	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
2-80	38"	112 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	20
2-85	38"	116 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	209
2-90	42"	120 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	224
2-95	42"	140 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	231
2-100	40 1/2"	84 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	178
2-105	40 1/2"	84 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-110	40 1/2"	88 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	177
2-115	40 1/2"	88 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-120	40 1/2"	92 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-125	42"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	197
2-130	42"	108 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	204
2-135	42"	108 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	204
2-140	42"	84 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	21
2-145	42"	84 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-150	42"	88 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	19
2-155	42"	112 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	207
2-160	42"	112 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
2-165	42"	112 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	204
2-170	42"	120 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	224
2-175	42"	120 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
2-180	42"	120 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
2-185	42"	120 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
2-190	42"	120 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	24
2-195	37"	120 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	237
2-200	38"	144 x 76	150V. (Under 60 fl.)	150V. (Under 60 fl.)	274
2-205	37"	150 x 88	150V. (Under 60 fl.)	150V. (Under 60 fl.)	274
2-210	43 1/2"	150 x 76	150V. (Under 60 fl.)	150V. (Under 60 fl.)	274

(3) SATINS

3-5	39"	110 x 48	150V. (Under 60 fl.)	150V. (Under 60 fl.)	17
3-10	40"	110 x 48	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
3-15	40"	110 x 52	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
3-20	40"	110 x 52	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
3-25	42 1/2"	160 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	274
3-30	42 1/2"	180 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	284
3-35	42 1/2"	220 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	334
3-40	40"	140 x 86	150V. (Under 60 fl.)	150V. (Under 60 fl.)	21
3-45	40"	140 x 86	150V. (Under 60 fl.)	150V. (Under 60 fl.)	224
3-50	40"	200 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	284
3-55	40"	200 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	284
3-60	40"	200 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	284
3-65	40"	224 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	27
3-70	42"	224 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294
3-75	42"	225 x 104	150V. (Under 60 fl.)	150V. (Under 60 fl.)	324
3-80	42"	225 x 104	150V. (Under 60 fl.)	150V. (Under 60 fl.)	324
3-85	42"	212 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	32
3-90	42"	214 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294
3-95	42"	214 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294
3-100	42"	214 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294
3-105	42"	214 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294
3-110	42"	212 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	29
3-115	42"	212 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	284
3-120	42"	214 x 70	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-125	42"	214 x 70	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-130	42"	225 x 70	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-135	42"	230 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-140	42"	230 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-145	42"	212 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-150	42"	230 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-155	42"	230 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-160	42"	180 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
3-165	42"	140 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
3-170	42"	140 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
3-175	42"	140 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
3-180	42"	180 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
3-185	42"	200 x 72	150V. (Under 60 fl.)	150V. (Under 60 fl.)	214
3-190	36 1/2"	250 x 100	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-195	42"	250 x 100	150V. (Under 60 fl.)	150V. (Under 60 fl.)	304
3-200	42"	225 x 90	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294

(1) TAFFETA—Continued

Fabric No. and type	Width	Ends and picks	Warp	Filling	Price per yard
1-55	43 1/2"	72 x 56	150V. (Under 60 fl.)	150V. (Under 60 fl.)	164
1-60	40 1/2"	70 x 52	150V. (Under 60 fl.)	150V. (Under 60 fl.)	154
1-65	40 1/2"	84 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-70	38"	88 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	144
1-75	38"	88 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	15
1-80	40 1/2"	88 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-85	39 1/2"	92 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	154
1-90	41"	96 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	154
1-95	39 1/2"	110 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
1-100	38"	110 x 40	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-105	38"	110 x 40	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-110	43 1/2"	110 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	204
1-115	43 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-120	43 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
1-125	43 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
1-130	43 1/2"	92 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-135	40 1/2"	92 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-140	40 1/2"	92 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-145	41 1/2"	92 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-150	43 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-155	40 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-160	40 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-165	40 1/2"	92 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-170	43 1/2"	102 x 76	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
1-175	38 1/2"	88 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	154
1-180	41"	88 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	154
1-185	39"	96 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	164
1-190	41"	96 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-195	39"	110 x 44	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
1-200	41"	110 x 40	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-205	39"	110 x 40	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-210	42"	110 x 46	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-215	39"	110 x 48	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
1-220	41"	126 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	244
1-225	41 1/2"	126 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	244
1-230	41 1/2"	126 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-235	41 1/2"	126 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-240	43 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
1-245	43 1/2"	92 x 68	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
1-250	42"	150 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	224
1-255	42"	150 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	224
1-260	42"	170 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-265	39 1/2"	180 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-270	42"	180 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-275	42"	170 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-280	42"	170 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-285	43 1/2"	174 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-290	39 1/2"	180 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-295	39 1/2"	200 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-300	39 1/2"	200 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	234
1-305	40 1/2"	200 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	244
1-310	40 1/2"	200 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	244
1-315	42"	200 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	254
1-320	50"	200 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	294

(2) TWILLS

2-5	40"	72 x 46	150V. (Under 60 fl.)	150V. (Under 60 fl.)	134
2-10	40 1/2"	72 x 46	150V. (Under 60 fl.)	150V. (Under 60 fl.)	134
2-15	40 1/2"	84 x 56	150V. (Under 60 fl.)	150V. (Under 60 fl.)	164
2-20	40 1/2"	84 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
2-25	40 1/2"	84 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-30	40 1/2"	88 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	174
2-35	40 1/2"	92 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-40	40 1/2"	92 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	184
2-45	40 1/2"	104 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
2-50	42"	108 x 60	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
2-55	40 1/2"	108 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	204
2-60	42"	108 x 64	150V. (Under 60 fl.)	150V. (Under 60 fl.)	204
2-65	37 1/2"	112 x 62	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194
2-70	37 1/2"	112 x 66	150V. (Under 60 fl.)	150V. (Under 60 fl.)	194



## (8) COMBINATION CREPES

Fabric No. and type	Width	Ends and picks	Warp	Filling	Price per yard
8-5 Mock Romanine	47"	52 x 46	150A. Cr. ply 15	200A. Voile twist	29½
8-10 Mock Romanine	47"	52 x 62	150A. Cr. ply 15	150A. Voile twist	29½
8-15 2 Ply Alpaca	47½"	45 x 36	150A. Cr. ply 8	150V. Cr. ply 8	30
8-20 Tricoido	48"	44 x 38	150A. Cr. ply 8	150V. Cr. ply 8	31½
8-25 Cynara	47"	52 x 40	150A. Cr. ply 15	150V. Cr. ply 15	32
8-30 Magic Hour or Emblem Type	48"	54 x 44	150A. Cr. ply 15	150V. Cr. ply 15	35
8-35 Romanine	48"	50 x 46	150A. Cr. ply 15	150V. Cr. ply 15	34
8-40 Masterpiece	46½"	61 x 55	150A. Cr. ply 15	150V. Cr. ply 15	36
8-45 2 Ply Suiting	44½"	56 x 42	150A. Cr. ply 15	150V. Cr. ply 15	35½
8-50 3 Ply Suiting	44½"	56 x 40	150A. Cr. ply 15	150V. Cr. ply 15	39½

## (9) MISCELLANEOUS

9-5 Sharkskin	49½"	102 x 48	150A	300A	22½
9-10 Sharkskin	49½"	102 x 48	150A	300A	23½
9-15 Sharkskin	49½"	102 x 48	150A	300A	29
9-20 Sharkskin	49½"	102 x 48	150A	300A	35½
9-25 Thick N Thin	49½"	102 x 48	150A	300A	18½
9-30 Sandweave	49½"	102 x 48	150A	300A	21½
9-35 Sandweave	49½"	102 x 48	150A	300A	22
9-40 Sandweave	49½"	102 x 48	150A	300A	23
9-45 Sandweave	49½"	102 x 48	150A	300A	23½
9-50 Jersey	49½"	102 x 48	150A	300A	21½
9-55 Cross Dye Taffeta	49½"	102 x 48	150A	300A	23½
9-60 Cross Dye Taffeta	49½"	102 x 48	150A	300A	27½

## (10) POPLIN

20-5	43½"	92 x 68	150V	301 V	21½
20-10	43½"	108 x 48	150V	301 V	22½
20-15	43½"	108 x 48	150V	301 V	23
20-20	43½"	108 x 48	150V	301 V	23½
20-25	43½"	108 x 48	150V	301 V	23½
20-30	43½"	108 x 48	150V	301 V	23½
20-35	43½"	108 x 48	150V	301 V	23½
20-40	43½"	108 x 48	150V	301 V	23½
20-45	43½"	108 x 48	150V	301 V	23½
20-50	43½"	108 x 48	150V	301 V	23½
20-55	43½"	108 x 48	150V	301 V	23½
20-60	43½"	108 x 48	150V	301 V	23½
20-65	43½"	108 x 48	150V	301 V	23½
20-70	43½"	108 x 48	150V	301 V	23½
20-75	43½"	108 x 48	150V	301 V	23½
20-80	43½"	108 x 48	150V	301 V	23½

## SATINS—Continued

Fabric No. and type	Width	Ends and picks	Warp	Filling	Price per yard
2-205	39½"	300 x 100	55A	100A	34
3-210	42"	225 x 88	55A	75A	27½
3-215	42"	225 x 88	55A	75A	28
3-220	42"	240 x 96	55A	75A	29½
3-225	42"	225 x 88	55A	75A	30½
3-230	42"	225 x 88	55A	75A	31½
3-235	42"	225 x 88	55A	75A	32½
3-240	42"	225 x 88	55A	75A	33½
3-245	42"	225 x 88	55A	75A	34½

## (4) FLAT CREPES

4-5	45"	114 x 68	100V. (60 fl. or less)	100V. Crepe Twist	29
4-10	45"	114 x 68	100V. (More than 60 fl.)	100V. Crepe Twist	29½
4-15	45"	114 x 68	100V. (More than 60 fl.)	100V. Crepe Twist	29½
4-20	45"	114 x 68	100V. (More than 60 fl.)	100V. Crepe Twist	29½
4-25	45"	114 x 68	100V. (More than 60 fl.)	100V. Crepe Twist	29½
4-30	45"	114 x 68	100V. (More than 60 fl.)	100V. Crepe Twist	29½

## (5) FRENCH CREPE

5-5	41"	104 x 72	100V. (60 or less fl.)	150V. (60 or more fl.)	23½
5-10	41"	104 x 72	100V. (60 or less fl.)	150V. (60 or more fl.)	23½
5-15	41"	104 x 72	100V. (60 or less fl.)	150V. (60 or more fl.)	23½
5-20	41"	104 x 72	100V. (60 or less fl.)	150V. (60 or more fl.)	23½
5-25	41"	104 x 72	100V. (60 or less fl.)	150V. (60 or more fl.)	23½
5-30	41"	104 x 72	100V. (60 or less fl.)	150V. (60 or more fl.)	23½

## (6) SHEERS

6-5 Georgette	50"	80 x 72	75V. Crepe twist	75V. Crepe twist	28
6-10 Viscose Triple Sheer	46"	100 x 72	75V. 55 turns	75V.	25½
6-15 Viscose Triple Sheer	46"	100 x 72	75V. 55 turns	75V.	25½
6-20 Cuprammonium Sheer	46"	100 x 72	75 Cuprammonium 57½ turns	75 Cuprammonium	27
6-25 Cuprammonium Sheer	46"	100 x 72	75 Cuprammonium 57½ turns	75 Cuprammonium	28

## (7) MARQUISSETTES, NINONS, AND VOILES

7-5 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-10 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-15 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-20 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-25 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-30 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-35 Marquissette	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-40 Ninon	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-45 Ninon	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½
7-50 Voile	36"	38 x 22	150V. Voile twist	150V. Voile twist	10½



## (11) SPUNS

Fabric No. and type	Width	Ends and picks	Warp	Filling	Price per yard
25-5 One Way Flake	40 1/2"	68 x 44	30/1 V.	18/1 Average Sp. Flake V.	14
25-10 Linen Type	40 1/2"	68 x 60	30/1 V.	31/1 V. Slub	14 1/2
25-15 Linen Type	42"	43 x 42	14/1 V. Slub 16 T.	14/1 V. Slub 16 T.	19 1/2
25-20 Challis	40 1/2"	68 x 62	30/1 V.	30/1 V.	14
25-25 Challis	44"	68 x 48	30/1 V. 19 T.	23/1 V. 16 T.	14
25-30 Challis	44 1/2"	68 x 48	30/1 V. 19 T.	23/1 V. 16 T.	14
25-35 Faille Challis	41 1/2"	66 x 38	30/1 V. 19 T.	14/1 V.	14
25-40 Poplin	43 1/2"	104 x 44	30/1 V. 19 T.	23/1 V. 16 T.	16 1/2
25-45 Spun Poplin	40 1/2"	104 x 44	30/1 V. 19 T.	14/1 V. 14 T.	18
25-50 Twill	40 1/2"	128 x 60	30/1 V. 19 T.	30/1 V. 19 T.	19 1/2
25-55 Twill	43 1/2"	128 x 60	30/1 V. 19 T.	30/1 V. 19 T.	20 1/2
25-60 Twill	40 1/2"	97 x 54	22/1 V. 16 T.	22/1 V. 16 T.	19 1/2
25-65 Bedford Cord	40 1/2"	128 x 68	30/1 V. 19 T.	30/1 V. 19 T.	20 1/2
25-70 Serge	41 1/2"	70 x 66	20/1 V. 20.2 T.	20/1 V. 15.7 T.	20 1/2
25-75 Spun Blend	41"	66 x 38	30/1 10% A. 90% V.	14/1 10% A. 90% V.	14 1/2
25-80 20% Spun Blend	42 1/2"	52 x 36	14/1 20% A. 80% V.	14/1 20% A. 80% V.	18
25-85 25% Spun Blend	42 1/2"	54 x 40	18/1 25% A. 75% V. 28 T.	18/1 25% A. 75% V. 28 T.	20 1/2
25-90 25% Spun Blend	42 1/2"	54 x 52	18/1 25% A. 75% V. 28 T.	18/1 25% A. 75% V. 28 T.	22
25-95 30% Spun Blend	40"	60 x 52	20/1 30% A. 70% V.	20/1 30% A. 70% V.	18 1/2
25-100 30% Spun Blend	41 1/2"	70 x 60	29/1 30% A. 70% V. 27 T.	29/1 30% A. 70% V. 27 T.	20 1/2
25-105 50% Spun Blend	41 1/2"	68 x 54	21/1 50% A. 50% V.	21/1 50% A. 50% V.	25
25-110 Plied Suiting	40"	53 x 46	30/2 20% A. 80% V. ply	30/2 20% A. 80% V. ply	25
25-115 Plied Suiting	41"	60 x 44	30/2 25% A. 75% V. ply	30/2 25% A. 75% V. ply	28
25-120 50% Spun Blend	47 1/2"	40 x 40	25/2 50% A. 50% V.	25/2 50% A. 50% V.	31
25-125 Covert	43 1/2"	128 x 60	30/1 30% A. 70% V. 20.6 T.	30/1 V. 16 1/2 T.	23 1/2
25-130 Covert	44 1/2"	109 x 60	24/1 20% A. 80% V. 19 1/2 T.	24/1 20% A. 80% V. 19 1/2 T.	25
25-135 Covert	41"	111 x 60	24/1 20% A. 80% V. 19 1/2 T.	24/1 20% A. 80% V. 19 1/2 T.	24
25-140 Covert	40 1/2"	99 x 58	30/2 25% A. 75% V.	20/1 20% A. 80% V.	34 1/2
25-145 Twill Spun 50% Blend	42 1/2"	97 x 62	18/1 50% A. 50% V. 19 T.	18/1 50% A. 50% V. 17 T.	36

(b) (1) For any weave requiring a minimum of 7 to 15 harness inclusive, exclusive of selvage, a premium of 1 1/4¢ per yard may be added to the basic plain construction.

(2) For any weave requiring more than 16 harnesses, a premium of 1 1/2¢ per yard may be added to the basic plain construction.

(3) No premium may be added for more than the minimum number of harnesses required for any weave.

(4) For weaves which require, exclusive of selvage, up to and including 6 cams, no premium may be added to the price of the fabric it is keyed to. This applies whether woven on a dobbie head or cam loom.

Issued this 16th day of April 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-3411; Filed, April 16, 1942;  
5:16 p. m.]

# PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

## AMENDMENT NO. 1 TO TEMPORARY MAXIMUM PRICE REGULATION NO. 16<sup>1</sup>—STANDARD NEWSPRINT PAPER

A Statement of the Considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1347.201 is amended to read as follows and a new § 1347.212 is added:

§ 1347.201 *Maximum prices for standard newsprint paper.* On and after April 1, 1942, to and including May 30, 1942, regardless of any contract, agreement, lease, or other obligation theretofore or thereafter entered into, no person shall

sell or deliver standard newsprint paper, and no person shall buy or receive standard newsprint paper in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1347.211; and no person shall offer, solicit, attempt or agree to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of standard newsprint paper to a purchaser if, prior to April 1, 1942, such standard newsprint paper had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser, or to agreements for the sale of standard newsprint paper made by an exporter at prices in excess of the maximum prices herein established, which may be completed at the agreed price in excess of such maximum prices to the extent that, prior to April 1, 1942, (a) the shipment of standard newsprint paper from a supplier to the exporter has been made pursuant to such agreement, and (b) the exporter had entered into an agreement for the sale of such standard newsprint paper: *Provided*, That the exporter shall keep the following records: The date, amount, and price of the standard newsprint paper that was shipped by the manufacturer, the name of the manufacturer and the purchaser from the exporter, the date of the contract which is being completed, and the contract price.

§ 1347.212 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1347.201, 1347.212) to Temporary Maximum Price Regulation No. 16 shall become effective April 21st, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 16th day of April 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-3413; Filed, April 16, 1942;  
5:17 p. m.]

# PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

## AMENDMENT NO. 5 TO RATIONING ORDER NO. 2A<sup>1</sup>—NEW PASSENGER AUTOMOBILE RATIONING REGULATIONS

Section 1360.381 is hereby amended and a new paragraph (e) is added to § 1360.442 as set forth below:

### Federal Agencies

§ 1360.381 *Application; certificates.* All Federal agencies, except those enumerated in § 1360.351, which are eligible to acquire a new passenger automobile under the provisions of §§ 1360.371 and 1360.372, shall make application on O.P.A. Form R-216 for a certificate authorizing such acquisition in the manner provided in paragraph (a) or (b) of this section:

(a) Any Federal agency which hereafter authorizes the Procurement Division of the Treasury Department to acquire a new passenger automobile on its behalf shall file its application for a certificate on O.P.A. Form R-216 with the Procurement Division, for transmittal to the Office of Price Administration, Washington, D. C. If the Office of Price Administration finds the applicant to be eligible, it may issue and deliver to the Procurement Division a certificate on O.P.A. Form R-217 authorizing such acquisition.

(b) All other Federal agencies shall make application for a certificate on O.P.A. Form R-216 directly to the Office of Price Administration, Washington, D. C. If the Office of Price Administration finds the applicant to be eligible, it may issue to the applicant a certificate on O.P.A. Form R-217 authorizing such acquisition.

Certificates shall be issued to Federal agencies subject to the quota established for that purpose unless such certificates are issued pursuant to § 1360.345.

### Effective Dates

§ 1360.442 *Effective dates of amendments.*

(e) Amendment No. 5 (§ 1360.381) to Rationing Order No. 2A shall become effective April 25, 1942.

(Pub. Law 421, 77th Cong. W.P.B. Directive No. 1, Supplementary Directive No. 1A, 7 F.R. 562, 698, 1493)

Issued this 24th day of April 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-3436; Filed, April 17, 1942;  
11:42 a. m.]

# Chapter XV—Defense Communications Board

[Order No. 4]

## PART 1703—REGISTRATION OF APPARATUS WHICH GENERATES RADIO-FREQUENCY ENERGY

Whereas The Defense Communications Board has been authorized pursuant to the Communications Act of 1934, as

<sup>1</sup> 7 F.R. 1542, 1647, 1756, 2108, 2242, 2305.

<sup>1</sup> 7 F.R. 2395.



amended, and Executive Order No. 8964 of December 10, 1941, if the national security and defense and the successful conduct of the war so demand, to prescribe classes and types of radio stations and facilities or portions thereof which shall be subject to use, control, supervision, inspection or closure in accordance with such prescription by any agency of the United States Government designated by the Board;

And whereas The Defense Communications Board has determined that the national security and defense and the successful conduct of the war demand that the Government have knowledge of all persons who possess apparatus equipped for the transmission of radio-frequency energy;<sup>1</sup>

Now, therefore, by virtue of authority vested in the Board under the aforementioned Executive Order, the Board hereby directs:

Sec.

- 1703.1 Registration of apparatus.
- 1703.2 Granting of exemptions.
- 1703.3 Filing of applications for certification.
- 1703.4 Application after obtaining possession of apparatus.
- 1703.5 Application after expiration or revocation of license or construction permit.
- 1703.6 Application for amended certificate of registration.
- 1703.7 Notification after disposal, etc.
- 1703.8 Identification of apparatus by manufacturers and importers; obliteration of identification marks.
- 1703.9 Records and reports.
- 1703.10 Unidentified apparatus subject to closure.
- 1703.11 Penalties.

AUTHORITY: §§ 1703.1 to 1703.11, inclusive, issued under 48 Stat. 1064; 47 U.S.C. 151-609; E.O. 8964, 6 F.R. 6367.

§ 1703.1 *Registration of apparatus.* That every person who has in his possession any apparatus which is capable of generating radiofrequency energy<sup>1</sup> shall register that apparatus<sup>2</sup> with the Federal Communications Commission, at such time as the Commission shall designate, unless possession of such apparatus is pursuant to license or construction permit outstanding under the provisions of Title III of the Communications Act, or such apparatus is in the possession of the United States Government, its officers or agents, or in the process of manufacture under contract for or on behalf of the United States Government.

§ 1703.2 *Granting of exemptions.* Whenever the Federal Communications Commission shall determine that registration of particular apparatus or classes of apparatus while in the possession of particular persons or classes of persons

is not necessary to insure that such apparatus will not be used for the transmission of energy or communications or signals by radio, the Commission may grant exemptions from the provisions of this Order upon such terms and conditions as it may prescribe: *Provided*, That the Commission may require any person or classes of persons in possession of exempted apparatus to keep such records and furnish such information as the Commission may prescribe.

§ 1703.3 *Filing of applications for certification.* (a) All applications for certification of registration filed pursuant to this Order shall be filed at such place and shall be in such form and shall set forth such facts as the Commission may deem necessary or appropriate to the exercise of its duties under this Order.

(b) Upon receipt of an application for registration if the Commission finds that sufficient and reliable information has been furnished, it shall issue a certificate of registration in such form as it may prescribe.

(c) The certificate of registration shall be displayed in such a manner as the Commission may prescribe, and the apparatus and the certificate shall be subject to inspection by the Commission at all times.

§ 1703.4 *Application after obtaining possession of apparatus.* Any person coming into possession in any manner whatsoever of any apparatus required to be registered under the provisions of this Order, unless exempted by the Federal Communications Commission, shall apply to the Commission for a certificate of registration within such period after obtaining possession as the Commission shall designate.

§ 1703.5 *Application after expiration or revocation of license or construction permit.* Any person whose lawful possession of any apparatus designed, constructed or intended for the transmission of energy or communications or signals by radio has expired, either because of the expiration or revocation of a license or construction permit, or because of the expiration or revocation of an exemption issued under paragraph 2 of this Order, or for any other reason, shall apply to the Commission within five days for a certificate of registration.

§ 1703.6 *Application for amended certificate of registration.* If any apparatus for which a certificate of registration has been issued shall be moved from the location designated in the certificate, the person having such apparatus in possession shall apply for an amended certificate of registration within five days and shall return the original certificate to the Commission: *Provided*, That this subsection shall not apply to apparatus certificated as portable or mobile apparatus.

§ 1703.7 *Notification after disposal, etc.* If apparatus for which a certificate has been issued shall be transferred, sold, assigned, leased, loaned, stolen, destroyed or otherwise disposed of, the holder of the certificate of registration shall notify the Commission within five days and return the certificate of registration. The notice required herein shall

be in such form and include such information as the Commission may prescribe.

§ 1703.8 *Identification of apparatus by manufacturers and importers; obliteration of identification marks.* Each manufacturer and importer of any apparatus required to be registered under the provisions of this Order and not exempted by the Commission shall identify such apparatus with a number or other identification mark approved by the Commission, such number or mark to be stamped or otherwise placed on the apparatus in such manner as the Commission may prescribe. The term "manufacturer" shall include any person assembling or in any other manner constructing such apparatus for any purpose whatsoever. No one shall obliterate, remove, change, or alter such number or mark. For the purposes of this Order, proof that a person has or has had possession of any apparatus required to be registered under the Order upon which such number or mark shall have been obliterated, removed, changed, or altered, shall be deemed prima facie evidence that such person has obliterated, removed, changed, or altered such number or mark.

§ 1703.9 *Records and reports.* Importers and manufacturers of, and dealers in, apparatus required to be registered under this Order shall keep such books and records and render such reports to the Commission as it may prescribe. Such books and records shall at all times be open to inspection by the Commission or by other persons designated by the Commission.

§ 1703.10 *Unidentified apparatus subject to closure.* Any apparatus required to be registered under this Order and not exempted by the Commission, for which there is no valid registration certificate outstanding, or any such apparatus upon which there is no number or no other identification mark stamped or attached as required by paragraph 8 hereof or any such apparatus upon which the number or other identification mark shall have been obliterated, removed, changed, or altered, shall be subject to closure and removal by the Commission.

§ 1703.11 *Penalties.* If any person willfully violates any provision of this Order or any regulation issued hereunder, or by any act or omission falsifies records required to be kept or information required to be furnished pursuant to the terms of this Order or to any regulation issued hereunder, the Board or the Commission shall take such action as it deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. sec. 80)

Subject to such further order as the Board may deem appropriate.

DEFENSE COMMUNICATIONS BOARD,  
JAMES LAWRENCE FLY, *Chairman*.

Attest:

HERBERT E. GASTON,  
*Secretary*.

APRIL 16, 1942.

[F. R. Doc. 42-3439; Filed, April 17, 1942; 11:51 a. m.]

<sup>1</sup> The term "radiofrequency energy" means electromagnetic energy at any frequency between the limits 10 kilocycles—10,000 megacycles.

<sup>2</sup> Such apparatus includes any equipment which utilizes a radiofrequency oscillator, or any other type of radiofrequency generator, to transmit, or which transmits, in advertently or otherwise, radiofrequency energy—whether through space, or guided by wire lines—for purposes of communication or control, for therapeutic treatments, industrial operations, or any other purpose whatsoever.



## Chapter XVI—Office of Censorship

[Regulation No. II]

PART 1804—POSTAL CENSORSHIP  
REGULATIONS

## MAIL TO FOREIGN COUNTRIES, ETC.

## Sec.

- 1804.16 Definitions.
- 1804.17 Mail to foreign countries.
- 1804.18 Rules governing mail to foreign countries.
- 1804.19 Matters prohibited in mail to foreign countries.
- 1804.20 Mail to enemy nationals.
- 1804.21 Financial assistance to American nationals.
- 1804.22 Mail to prisoners of war and internees.
- 1804.23 Films.
- 1804.24 Non-waiver of licenses required by other government agencies.

**AUTHORITY:** §§ 1804.16 to 1804.24 inclusive issued under the authority vested in the Director of Censorship pursuant to sec. 3 (c) of the Trading with the Enemy Act of October 6, 1917, 40 Stat. 412, as amended; sec. 303 of the First War Powers Act of December 18, 1941, 55 Stat. 838; E.O. 8985, 6 F.R. 6625, T.D. 50536, 6 F.R. 6807.

§ 1804.16 *Definitions.* As used in §§ 1804.17 to 1804.24, inclusive, (a) The term "enemy national" shall mean:

(1) The government of any country against which the United States has declared war (Germany, Italy and Japan) and the governments of Bulgaria, Hungary and Rumania, and any agent, instrumentality or representative of the foregoing governments, or other person acting therefor, wherever situated (including the accredited representatives of other governments to the extent, and only to the extent, that they are actually representing the interests of the governments of Germany, Italy, and Japan and Bulgaria, Hungary and Rumania), and

(2) The government of any other blocked country having its seat within enemy territory, and any agent, instrumentality, or representative thereof, or other person acting therefor, actually situated within enemy territory, (a blocked country is one to which the provisions of the Freezing Order—E.O. 8389,<sup>1</sup> as amended—have been extended), and

(3) The government of any country which has declared war against the United States.

(4) Any individual within enemy territory and any partnership, association, corporation or other organization to the extent that it is actually situated within enemy territory, and

(5) Any person whose name appears on The Proclaimed List of Certain Blocked Nationals, as revised and supplemented,<sup>2</sup> and any other person acting therefor.

(b) The term "enemy territory" shall mean:

(1) The territory of Germany, Italy and Japan; and

(2) The territory controlled or occupied by the military, naval or police

forces or other authority of Germany, Italy or Japan.

(c) The term "communication" shall mean:

Any letter or other writing, book, map, plan, or other paper, picture, sound recording, or other reproduction.

§ 1804.17 *Mail to foreign countries.* The sending or transmitting out of the United States, including its territories and possessions, in the ordinary course of the mail of any communication is hereby permitted provided that both of the following conditions are satisfied:

(a) Such communication complies with all the provisions of §§ 1804.18 and 1804.19 of these regulations.

(b) Such communication, if addressed to, or intended for, or to be delivered, directly or indirectly to an enemy national, complies with all the provisions of §§ 1804.20 and 1804.22 of these regulations.

Nothing contained in this section shall be deemed to limit the authority of the Director of Censorship to cause to be censored in his absolute discretion, any communication by mail passing between the United States and any foreign country.

§ 1804.18 *Rules governing mail to foreign countries.* All mail directed to foreign countries shall comply with the following rules:

(a) The full name and complete address of the sender must be shown both on the outside of the envelope and in the letter itself.

(b) Communications will be written in English, if possible. If English is not used the name of the language will be written in English on the face of the envelope.

(c) Codes, unless authorized, ciphers, secret inks, and other secret writings will not be used in international mail.

(d) No person, except as stated in paragraph (e) of this section, shall act as an intermediary or agent for the receipt and transmission of mail on behalf of persons in foreign countries.

(e) Any member of the United States Armed Forces corresponding with a person in a foreign country, other than another member of such Forces, shall not give, either in the letter or on the envelope, the name of his post, camp or station. He will give the name and address of a friend or relative in the United States to whom a reply can be sent for forwarding.

(f) Any communication to a foreign country which includes technical or scientific data requires a license from the Board of Economic Warfare. Application should be made to the Technical Data Division, Office of Export Control, Board of Economic Warfare, Washington, D. C.

§ 1804.19 *Matters prohibited in mail to foreign countries.* (a) The following matters are prohibited in all communications to foreign countries:

(1) Information regarding United States, other United Nations, or Neutral vessels if it reveals:

(i) Details of convoys, their assembly ports, anchorages or methods of routing;

(ii) Time of departure or arrival of any ship more specific than one-week's time. Approximate dates such as "next week," "soon," "about the first of next month," etc., are permissible.

(iii) Any abnormal assembly or movement of shipping in a particular locality.

(iv) Movements of particularly large or important vessels.

(v) Nature of cargo, except in necessary official shipping documents.

(2) Weather conditions and meteorological data, other than local as it appears in the press.

(3) Any data whatever concerning military or naval communications or intelligence methods or results.

(4) Propaganda which is to the detriment of the war effort of the United States or other United Nations.

(b) The following matters are prohibited in communications to foreign countries, unless the information has been officially released or the export thereof licensed, where required, by the proper government agency:

(1) The location, identity, description, test, performance, production, movement or prospective movement of defensive or offensive weapons, installations, supplies, reserves, materials, or equipment of military or naval nature of the United States or other United Nations.

(2) The location, description, production, reserves, capacity, or specific output of existing or proposed private or government-owned-or-controlled plants, yards, docks, dams, structures, experimental or other facilities, or contracts, plans, and rates of industrial activity in connection therewith. This extends to any process, synthesis, or operation in the production, manufacture, or reconstruction, or use, of any article the export of which is prohibited or limited by the Government.

(3) The military, naval, or diplomatic plans of the United States or other United Nations, or the official plans of any official thereof.

(4) The employment of any naval, military, or civil defense unit of the United States or other United Nations.

(5) Reports on production and conditions in the mining, lumbering, fishing, livestock, and farming industries, and shortages or surpluses in connection therewith.

(6) The effect of enemy operations, or casualties to personnel, or damage to property, suffered by the United States or other United Nations.

(7) The fact or effect of our military or naval operations against the enemy.

(8) The number, description, location, or identity of prisoners of war.

(9) Any sketch, photograph, drawing, blueprint, map or chart of which the denominator of its representative fraction is less than 500,000, disclosing any information prohibited by this section.

(10) Any other matter, the dissemination of which might directly or indirectly bring aid or comfort to the enemy, or which might interfere with the national effort of, or disparage the foreign rela-

<sup>1</sup> 6 F.R. 2897, 3715, 6348, 6785.

<sup>2</sup> See 7 F.R. 2777.



tions of, the United States or other United Nations.

§ 1804.20 *Mail to enemy nationals.* The sending of any communication to an enemy national requires a license from the Office of Censorship, except as provided in § 1804.22 and in paragraphs (a) and (b) of this section:

(a) The American Red Cross has been authorized to transmit, after censorship, short messages of a personal nature to residents in enemy territory. Letters, documents, and messages of a business nature cannot be sent by this means. Application should be made to any one of the local Red Cross chapters, where full instructions can be obtained. No other organization or individual, unless duly authorized, will transmit communications to enemy territory.

(b) Communications which relate to, or are a part of, a commercial or financial transaction authorized by Treasury Department license may be sent to enemy nationals provided that the communication is in compliance with the terms and conditions of the license relating to it. In such cases the original Treasury Department license, a duplicate original, or photostatic copy thereof, should be enclosed with each such communication, and the communication posted in the usual manner. (Among communications to enemy nationals requiring a Treasury Department license are notices of stockholders' meetings, proxies, powers of attorney, authorizations to transfer funds, patent applications, trade-mark and copyright registrations, financial statements, accounts of sale, and any instructions which are an integral part of a business, financial, trade, or commercial transaction.)

Communications of a general business nature, as a rule, will not be licensed. In special cases, however, where it appears that the communication would be of advantage to the United States, or the application is made by a governmental agency, a license permitting such communication may be granted. In such cases, application should be made to the Office of Censorship, Washington, D. C. The application may be made in letter form and a separate application should be made for each license.

§ 1804.21 *Financial assistance for American nationals in enemy territory.* The Department of State has made arrangements for financial assistance to American nationals in enemy territory. Persons desiring information concerning the means of making funds available to such American nationals should apply to the Special Division, Department of State, Washington, D. C.

§ 1804.22 *Mail to prisoners of war and internees.* Mail may be sent to prisoners of war and internees confined in the United States, in enemy countries, and in other foreign countries. All such communications should be addressed to the person concerned at the address furnished by the confinee, or by the Government or other agency authorized to furnish such information. No postage will be required unless such communications are sent by air, registered or insured mail, in which case postage must

be fully prepaid. The communications should be deposited in the mails in the usual manner. (All such communications will be strictly censored.)

§ 1804.23 *Films.* (a) Film, prints, and plates will not be exported or imported unless they have been examined and approved by designated authority. After approval, material of this type may be mailed in the usual manner.

(b) Exposed and undeveloped film received in the mail will be developed at the expense of the correspondent in the United States, prior to release.

(c) Importation of unexposed film, except from Canada, is prohibited unless authority is procured in advance from the Office of Censorship.

(d) The exportation of unexposed film, except to Canada, is prohibited unless a license is secured in advance from the Board of Economic Warfare.

§ 1804.24 *Non-waiver of licenses required by other Government agencies.* Nothing in §§ 1804.16 to 1804.23, inclusive, shall be interpreted as constituting a waiver of the regulations of other Government agencies with respect to license requirements.

APRIL 13, 1942.

BYRON PRICE,  
Director.

THE WHITE HOUSE,  
April 15, 1942.

Approved:

FRANKLIN D. ROOSEVELT

[F. R. Doc. 42-3435; Filed, April 17, 1942;  
10:44 a. m.]

## TITLE 36—PARKS AND FORESTS

### Chapter I—National Park Service

#### PART 2—GENERAL RULES AND REGULATIONS AMENDMENTS

Pursuant to the authority contained in the act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), Part 2<sup>1</sup> of Chapter I, Title 36, Code of Federal Regulations, is hereby amended in the following respects:

Section 2.5, *Picnicking*, is amended by striking out paragraph (c).

Section 2.8, *Fires*, is amended by changing paragraph (e) to read as follows:

(e) The superintendent may, during such periods of time as he may prescribe, prohibit smoking on any lands, including roads, which he may designate.

Section 2.14 is amended to read as follows:

§ 2.14 *Mountain summit climbing.* (a) In Mount McKinley, Mount Rainier, and Grand Teton National Parks, mountain climbing shall be undertaken only with the permission of the superintendent.

(b) In Devils Tower National Monument, the climbing of Devils Tower beyond the talus slope or above the shelf or bench at the base of the definite

columns, where such shelf or bench is present, shall be undertaken only with the permission of the superintendent.

(c) To insure reasonable chances of success, the superintendent shall not grant permission under paragraph (a) or (b) above until he is satisfied that all members of the party are properly clothed, equipped, and shod, are qualified physically and through previous experience to make the climb, and that the necessary supplies are carried.

(d) No individual will be permitted to start alone for the summit of Mount McKinley, Mount Rainier, Grand Teton, Middle Teton, South Teton, or Devils Tower.

(e) While the Government assumes no responsibility in connection with any kind of accident to mountain-climbing parties, all persons starting to ascend Mount McKinley, Mount Rainier, Grand Teton, Middle Teton, South Teton, or Devils Tower, shall fill out an information blank furnished by the superintendent and shall report to him upon return.

(f) When the superintendent deems such action necessary he may prohibit all mountain climbing in the park or monument.

Section 2.27, *Prospecting and mining*, is amended by inserting "Organ Pipe Cactus National Monument," immediately after "Glacier Bay National Monument," (Pub. Law 281, 77th Cong.)

Section 2.34, *Travel on roads*, is amended by changing paragraph (h) to read as follows:

(h) The superintendent may establish the hours during which any of the roads shall be open to the public, and the direction of travel thereon. During any period of emergency the superintendent may prescribe such other conditions regarding travel as may, in his judgment, appear necessary. Information regarding such hours, direction, and conditions of travel may be obtained upon application at the office of the superintendent, or at the ranger stations.

Section 2.40, *Permits*, is amended by changing paragraphs (a) and (b) to read as follows:

(a) Where required, no motor vehicle or house trailer may be operated in the parks or monuments without a permit, which is good only in the park or parks or monument for which issued. The permit must be carried in the motor vehicle or trailer and exhibited to the park rangers on request. Permits are issued for the calendar year upon payment of the required fee. Permits are issued for individual automobiles and may not be transferred to another automobile under any circumstances.

(b) In Shenandoah National Park and Blue Ridge Parkway trip permits good only on the day issued may be obtained.

Section 2.53 is amended to read as follows:

§ 2.53 *Persons prohibited from driving.* (a) No person shall drive a motor vehicle in a park or monument unless such person has a valid operator's li-

<sup>1</sup> 6 F.R. 1626, 2505, 2656, 3256, 3693, 4493, 5149.



cense: *Provided*, That any person who is a resident of a state, district, territory, or foreign country which does not require the licensing of operators may drive a motor vehicle if such person is at least 15 years of age. The provisions of this paragraph shall not apply to employees of other federal agencies or of states or territories or their political subdivisions operating motor vehicles on official business. Employees of the Department of the Interior shall be governed by the Regulations for the Operation of Motor Vehicles by Employees of the Department of the Interior on Official Business, approved February 14, 1942.

(b) No person who is under the influence of intoxicating liquor or narcotic drugs shall drive a motor vehicle of any kind in a park or monument.

Section 2.55, *Fees*, is amended by changing paragraphs (b), (i), (k), (n), and (o) (1) to read as follows:

(b) *Guide and elevator fees for Wind Cave.* (1) In Wind Cave National Park, no person or persons shall be permitted to enter the cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of fifty cents shall be charged each adult person entering the cave. The fifty cents fee for adults shall include the use of the elevator: *Provided*, That in proper cases and upon application made in advance, the Director may authorize admission without charge for guide and elevator service to persons from reputable educational institutions for the purpose of prosecuting class work or studies, or to persons under the support and care of charitable institutions and their attendants.

(2) Children 16 years of age, or under, or groups of school children 18 years of age, or under, when accompanied by adults assuming responsibility for their safety and orderly conduct while in the cave, shall be charged twenty-five cents each, including the use of the elevator: *Provided*, That no charge whatever shall be made for children under 12 years of age when accompanied by adults assuming responsibility for their safety and orderly conduct.

(i) *Admission fees.* (1) An admission fee shall be charged each person entering the following areas, except children 16 years of age, or under, or groups of school children 18 years of age, or under, when accompanied by adults assuming responsibility for their safety and orderly conduct:

	Fee
Fort Marion National Monument.....	\$0.10
Fort Pulaski National Monument.....	.10
George Washington Birthplace National Monument.....	.10
Fort Raleigh National Historic Site (except after 6:00 P. M. on days when the pageant, "The Lost Colony", is presented by the Roanoke Island Historical Association).....	.10

(2) An admission fee shall be charged each person entering the following places,

except children 16 years of age, or under, or groups of school children 18 years of age, or under, when accompanied by adults assuming responsibility for their safety and orderly conduct:

	Fee
Fort McHenry National Monument and Historic Shrine—Inner Fort.....	\$0.10
Colonial National Historical Park: Moore House.....	.10
Yorktown Historical Museum.....	.10
Morristown National Historical Park—Ford Museum and Mansion.....	.10
Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park—Museum.....	.10
Chickamauga and Chattanooga National Military Park—Point Park.....	.10
Vicksburg National Military Park—Museum.....	.10
Salem Maritime National Historic Site—Derby House.....	.25
Vanderbilt Mansion National Historic Site—Mansion.....	.50
Lincoln Museum.....	.10
House Where Lincoln Died.....	.10
Lee Mansion in Arlington National Cemetery.....	.10

(k) *Fees for automobiles, motorcycles, and house trailer permits.* (1) Fees for automobile permits are as follows:

	Yearly permit	Trip permit
Bryce Canyon and Zion National Parks.....	\$1.00	
Crater Lake National Park.....	1.00	
Glacier National Park.....	1.00	
Grand Canyon National Park.....	1.00	
Grand Teton National Park (fee paid may be applied on fee for Yellowstone permit).....	1.00	
Lassen Volcanic National Park.....	1.00	
Mesa Verde National Park.....	1.00	
Mount Rainier National Park.....	1.00	
Rocky Mountain National Park.....	1.00	
Sequoia and Kings Canyon National Parks.....	1.00	
Shenandoah National Park and the section of the Blue Ridge Parkway between Jarman Gap and Rockfish Gap.....	1.00	\$0.25
Yellowstone and Grand Teton National Parks.....	3.00	
Yosemite National Park.....	2.00	
Bandelier National Monument.....	.50	
Colorado National Monument.....	.50	
Craters of the Moon National Monument.....	.50	
Devils Tower National Monument.....	.50	
Lava Beds National Monument.....	.50	
Petrified Forest National Monument.....	.50	
Pinnacles National Monument.....	.50	
Scotts Bluff National Monument.....	.25	
White Sands National Monument.....	.50	
Blue Ridge Parkway between Adney Gap, Virginia, and Deep Gap, North Carolina.....	1.00	.25

(2) Fees for motorcycle permits are as follows:

	Yearly permit	Trip permit
Bryce Canyon and Zion National Parks.....	\$1.00	
Crater Lake National Park.....	1.00	
Glacier National Park.....	1.00	
Grand Canyon National Park.....	1.00	
Grand Teton National Park (fee paid may be applied on fee for Yellowstone permit).....	.50	
Lassen Volcanic National Park.....	1.00	
Mesa Verde National Park.....	1.00	
Mount Rainier National Park.....	1.00	

	Yearly permit	Trip permit
Rocky Mountain National Park.....	1.00	
Sequoia and Kings Canyon National Parks.....	\$1.00	
Shenandoah National Park and the section of the Blue Ridge Parkway between Jarman Gap and Rockfish Gap.....	1.00	\$0.25
Yellowstone and Grand Teton National Parks.....	1.00	
Yosemite National Park.....	1.00	
Bandelier National Monument.....	.50	
Colorado National Monument.....	.50	
Craters of the Moon National Monument.....	.50	
Devils Tower National Monument.....	.50	
Lava Beds National Monument.....	.50	
Petrified Forest National Monument.....	.50	
Pinnacles National Monument.....	.50	
Scotts Bluff National Monument.....	.25	
White Sands National Monument.....	.50	
Blue Ridge Parkway between Adney Gap, Virginia, and Deep Gap, North Carolina.....	1.00	.25

(3) Fees for house trailer permits are as follows:

	Yearly permit	Trip permit
Bryce Canyon and Zion National Parks.....	\$1.00	
Crater Lake National Park.....	1.00	
Glacier National Park.....	1.00	
Grand Canyon National Park.....	1.00	
Lassen Volcanic National Park.....	1.00	
Mesa Verde National Park.....	1.00	
Mount Rainier National Park.....	1.00	
Rocky Mountain National Park.....	1.00	
Sequoia and Kings Canyon National Parks.....	1.00	
Shenandoah National Park and the section of the Blue Ridge Parkway between Jarman Gap and Rockfish Gap.....	1.00	\$0.25
Yellowstone and Grand Teton National Parks.....	1.00	
Yosemite National Park.....	1.00	
Bandelier National Monument.....	.50	
Craters of the Moon National Monument.....	.50	
Devils Tower National Monument.....	.50	
Lava Beds National Monument.....	.50	
Petrified Forest National Monument.....	.50	
Pinnacles National Monument.....	.50	
White Sands National Monument.....	.50	
Blue Ridge Parkway between Adney Gap, Virginia, and Deep Gap, North Carolina.....	1.00	.25

(n) *Admission fees; miscellaneous.* (1) A fee of ten cents shall be charged each person entering the Government area on Jamestown Island in Colonial National Historical Park, except children 10 years of age, or under, or groups of school children 18 years of age, or under, when accompanied by adults assuming responsibility for their safety and orderly conduct, and members of the Association for the Preservation of Virginia Antiquities. The fee shall be combined with a fee of twenty-six cents per person charged for admission to the area owned by the Association for the Preservation of Virginia Antiquities and included within the Jamestown National Historic Site.



(2) A fee of twenty-seven cents shall be charged each person entering the Cyclorama building at Gettysburg National Military Park, except children between the ages of 12 and 16 years, inclusive, who shall be charged seventeen cents. No charge shall be made for children under 12 years of age when accompanied by adults assuming responsibility for their safety and orderly conduct.

(c) *Guide fees for Mammoth Cave.* (1) In Mammoth Cave National Park, no person or persons shall be permitted to enter the cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which fees shall be charged as follows:

Route:	Fee per person
No. 1—Echo River	\$1.45
No. 2—Frozen Niagara	1.45
No. 3—Historical	1.45
No. 4—All day	2.95

Guide fees for additional trips taken in combination with the above routes:

Route:	Fee per person
No. 1—Echo River	\$1.00
No. 2—Frozen Niagara	1.00
No. 3—Historical	1.00
No. 4—All day	1.95

Guide fees for organized parties of twenty adults or more:

Route:	Fee per person
No. 1—Echo River	\$1.00
No. 2—Frozen Niagara	1.00
No. 3—Historical	1.00
No. 4—All day	1.95

Guide fees for organized parties of twenty adults or more for additional trips taken in combination with the above routes:

Route:	Fee per person
No. 1—Echo River	\$1.00
No. 2—Frozen Niagara	1.00
No. 3—Historical	1.00
No. 4—All day	1.00

Section 2.60 is added reading as follows:

§ 2.60 *Closing of areas.* The superintendent may, during any period of emergency, close to public use all or any part of the park or monument. (39 Stat. 535; 16 U.S.C. 3.)

Approved: April 8, 1942.

[SEAL]

JOHN J. DEMPSEY,  
Under Secretary.

[F. R. Doc. 42-3408; Filed, April 16, 1942;  
3:25 p. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter III—Grazing Service

#### PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS

#### ELIMINATION FROM NEW MEXICO GRAZING DISTRICT NO. 3<sup>1</sup>

MARCH 17, 1942.

Under and pursuant to the provisions of the act of June 28, 1934 (43 Stat.

<sup>1</sup> Affects tabulation in § 502.1e.

1269, 43 U. S. Code, sec. 315, *et seq.*), as amended, commonly known as the Taylor Grazing Act, the departmental order of July 11, 1935, establishing New Mexico Grazing District No. 3, is hereby revoked as far as it affects the following-described lands, such revocation to be effective upon the inclusion of the lands within the Rio Grande Canalization Project:

#### NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 4 W.,  
Sec. 20, lot 3;  
Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$ ;  
Sec. 30, E $\frac{1}{2}$ SE $\frac{1}{4}$  (part of lot 3).

E. K. BURLEW,  
Acting Secretary of the Interior.

[F. R. Doc. 42-3407; Filed, April 16, 1942;  
3:26 p. m.]

## TITLE 46—SHIPPING

### Chapter II—Coast Guard: Inspection and Navigation

Subchapter O—Regulations applicable to certain vessels and shipping during emergency

#### PART 152—MARINE ENGINEERING: REGULATIONS DURING EMERGENCY

##### EMERGENCY REGULATIONS AMENDED

By virtue of the authority vested in me by Section 4405, R. S., as amended (46 U.S.C. 375), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the emergency regulations are prescribed:

AUTHORITY: §§ 152.3 and 152.4 issued under the authority contained in R.S. 4405, 4417, 4417a, 4418, 4433, as amended, 49 Stat. 1544; 46 U.S.C. 375, 391, 391a, 392, 411, 367; E.O. 9083, 7 F.R. 1609.

Part 152 is amended by the addition of new §§ 152.3 and 152.4 reading as follows:

§ 152.3 *Main engine and pumps, remote control.* All mechanically-propelled ocean and coastwise vessels are to be provided with a remote control arrangement for promptly stopping the engines. In the case of reciprocating engines and steam turbines this is to be accomplished either by fitting a remote throttle control or by providing prompt and efficient means of simultaneously shutting the stop valve of each main boiler. On Diesel vessels a shut-off on the fuel line at the engine is to be utilized. These controls are to be located on the upper deck, preferably on the boat deck and in such position that they may be readily operated in an emergency.

On vessels propelled by steam turbines a vacuum breaker, which can be operated from the remote control position, shall be provided in order to stop the turbines promptly.

Pumps, particularly main circulating pumps, which discharge above the light load line, are to be fitted with remote control valves for shutting them down. These controls are to be located adjacent to the remote control for the main engine.

§ 152.4 *Administration.* If compliance with any of the requirements set forth in this part is shown to be unreasonable or impracticable, exemption may

be granted upon satisfactory presentation of the facts and circumstances. Application for any such exemption should be made to the nearest District Office. Headquarters shall be informed when exemptions have been granted, together with reasons therefor.

In all cases, however, where the materials or equipments necessitated by these requirements are not available, it shall not be necessary to apply for formal exemption as above. While it is not intended that vessels be delayed for non-compliance, it is expected that diligent efforts will be made to meet these requirements as rapidly as is possible.

#### PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES: REGULATIONS DURING EMERGENCY

AUTHORITY: §§ 153.3 (b), 153.6 (j), 153.6 (r), 153.7 (h), 153.10 (b), and 153.11 to 153.30, inclusive, issued under authority contained in R.S. 4405, 4417, 4417a, 4418, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544, 54 Stat. 1028; 46 U.S.C. 375, 391, 391a, 392, 481, 395, 396, 367, 463a; E.O. 9083, 7 F.R. 1609.

Section 153.3 is amended by the addition of a new paragraph (b) reading as follows:

§ 153.3 *Lifeboats on ocean and coastwise vessels.*

(b) *Readiness for lowering.* Masters shall, with due regard to safety, cause all lifeboats attached to davits other than gravity davits to be properly gripped in the outboard position as will allow immediate lowering in case of emergency. All boat covers are to be removed when the vessel is at sea and the guys rigged from the davit heads. All falls, gear and equipment are to be ready for immediate use.

Section 153.6(j) is amended by the addition of the following new sentence:

(j) *Mast and sail.* \* \* \* New sails for lifeboats, as well as replacements for existing sails, are to be red or chrome yellow in color for the purpose of increasing their visibility on the water and from the air.

Section 153.6 is amended by the addition of a new paragraph (r) reading as follows:

§ 153.6 *Additional equipment for lifeboats on ocean and coastwise vessels.*

(r) *Signal pistol.* There is to be provided for each lifeboat, an approved signal pistol outfit consisting of a pistol with lanyard, and 12 approved parachute red signal cartridges, all contained in a watertight metal case properly marked.

Section 153.7 is amended by the addition of a new paragraph (h) reading as follows:

§ 153.7 *Additional equipment for life rafts on ocean and coastwise vessels.*

(h) *First-aid kit.* A unit-type, first-aid kit in a watertight metal container shall be provided for each approved life raft which has a capacity of ten or more



persons. The following items, or their equivalent, shall be included:

- Assorted bandage compresses.
- Gauze compresses (adhesive type).
- Eye dressing packet.
- Ammonia inhalant.
- Iodine in applicator vial.
- Tourniquet and forceps.
- Burn ointment.
- Triangular bandage.

Section 153.10 is amended by the addition of a new paragraph (b) reading as follows:

§ 153.10 *Construction of life preservers.*

(b) *New life preservers, covering.* New life preservers for use on ocean and coastwise vessels are to be covered with slate-colored drill which meets the requirements of Navy Department specification 27-D-1-b. The covering is to be rendered fire-resistive by treatment with approved fire-resistive substance.

Part 153 is further amended by the addition of new §§ 153.11 to 153.30, inclusive, reading as follows:

§ 153.11 *Life preserver light.* A life preserver light of an approved type shall be provided for each person on board ocean and coastwise vessels which, when actuated, shall show a red light. Such lights are to be attached to the individual life preserver when worn and are to be provided with means for readily transferring light to the lifesaving suit.

§ 153.12 *Lifesaving suits.* Ocean and coastwise cargo and tank vessels of over 1,000 gross tons shall be provided with one approved lifesaving suit for each person on board.

§ 153.13 *Emergency flashlights.* There shall be provided for each licensed officer on ocean and coastwise vessels an approved flashlight of the three-cell type suitable for signaling.

§ 153.14 *Whistles and jackknives.* On all mechanically-propelled ocean and coastwise vessels of over 1,000 gross tons, each person on board shall be provided with a police whistle and a sailor's jackknife of rugged construction, the blade of which shall be about 3 inches in length, with a sheep-foot point. The handle of the jackknife shall be fitted with a shackle for attaching a lanyard. Such knives and whistles shall be carried, when practicable, attached to life jackets or lifesaving suits.

§ 153.15 *Lifeboat fall reels and lowering bits.* On ocean and coastwise vessels, lifeboat fall reels of suitable type and capacity are to be fitted in such location as will give a direct lead to the lowering bits. On all self-propelled vessels of over 1,000 gross tons where cleats are fitted in lieu of lowering bits, cruciform bits shall be provided where necessary and located in such position as will render lowering practicable.

§ 153.16 *Life lines rigged from davit span.* On ocean and coastwise vessels, each lifeboat shall be provided with at least four life lines fitted to a span between the davit heads. Such life lines shall be knotted at approximately 3-foot intervals and of sufficient length to reach

the water at the vessel's lightest sea-going draft.

§ 153.17 *Lifesaving nets.* On all mechanically-propelled ocean and coastwise vessels of over 1,000 gross tons, there shall be provided for each set of davits a lifesaving net at least ten feet in width to reach from the rail to the light load line. Such nets are to have a mesh size of approximately 6 x 8 inches and are to be lashed in position for immediate use.

§ 153.18 *Lifeboat and fire drills.* On all ocean and coastwise vessels the master or person in charge is responsible for instructing all on board in the use and purpose of the emergency equipment provided and for the conduct of frequent drills illustrating its use. The master and officers are to drill their crews until all on board are thoroughly familiar with the use and purpose of all safety equipment; are able to row and are familiar with the procedure for lowering boats, launching rafts and are proficient in quickly donning their lifesaving suits, if carried. In this connection a fire drill and a lifeboat drill with a boat in the water and boat crews exercised in rowing is to be held at every port of loading or discharge. When the master is satisfied that each member of the crew thoroughly understands his duties, he may then require that lifeboat drills including lowering of all boats and the exercise of each member of the crew in lowering the boats and rowing be held at longer intervals, but in no case longer than thirty days except where a vessel may be at sea for a longer period.

On vessels engaged in voyages of more than three days' duration a lifeboat muster and fire drill are to be held at sea not less than once in every four consecutive days, and the master and officers are to instruct all of the crew with the exception of those who cannot be relieved of their immediate duties in the use of the various equipments which are on the vessel and fitted in the lifeboats. On all ships which carry persons in addition to the crew as passengers, such persons are, where practicable, to be required by the master to participate in lifeboat drills and receive instruction in the functioning and use of the various types of equipment.

§ 153.19 *Blackout enforcement.* On ocean and coastwise vessels the master shall, when the vessel is at sea, be responsible for the maintenance of a complete blackout from dusk until dawn. He shall place under arrest any person who jeopardizes the safety of the vessel by showing a light of any kind.

§ 153.20 *Emergency lights.* On mechanically-propelled ocean and coastwise vessels of 1,000 gross tons or over there shall be provided self-contained, battery-operated emergency lights of an approved type, at least twelve in number, located throughout the vessel in readily accessible locations and plainly marked. These lights shall be portable and shall be readily removable.

§ 153.21 *Emergency escape ladders.* On mechanically-propelled ocean and coastwise vessels of over 1,000 gross tons at least two wire or chain ladders (one

on each side) leading directly to the highest part of the engine room casing shall be provided and arranged in a way most likely to allow the escape of engine room personnel in the event of damage to the fixed ladders and gratings. On steam vessels a similar ladder shall be provided in the fire room running through the ventilator, if practicable. Such ladders are not to be hauled taut. They are to be lashed loosely at the floor plates.

§ 153.22 *Removal of calcium water lights.* All calcium-type self-igniting water lights shall be removed from all ocean and coastwise tank ships, tank barges, and vessels using Diesel oil for fuel, and replaced by approved electric water lights.

§ 153.23 *Portable emergency radio transmitters.* There shall be available on board mechanically propelled ocean and coastwise vessels of over one thousand gross tons for use in life boats at least one portable radio installation which complies with requirements of the Federal Communications Commission.

§ 153.24 *Watertight case for distress lights.* The watertight case required for distress lights in lifeboats and life rafts may be of galvanized iron not less than No. 22 B. W. G. in thickness, or of equivalent corrosion-resistant material.

§ 153.25 *Life floats.* On each mechanically-propelled ocean and coastwise vessel of 1,000 gross tons and over there shall be provided at least two approved doughnut-type life floats of at least 15-person capacity. These floats shall be stowed in such location that they may be launched directly overboard and so arranged that they would have the best chance of floating free of the ship if there is no time to launch them. An electric water light of an approved type shall be attached to each float by a suitable lanyard. At least two paddles are to be lashed to the sides of the float. The usual stowage for such floats is to be aft. One float may, however, be stowed in such other position as may be designated by the master.

§ 153.26 *Security inspection.* The master is responsible for the proper performance and condition of all lifesaving and other safety equipment and in this connection he shall designate an officer or other person whose duty it shall be to inspect the vessel daily to determine that all such equipment is in good order and ready for immediate use. He shall report the findings of his daily inspection to the master who shall, if any deficiencies or other undesirable conditions are reported, take such action and issue such orders as may be necessary to place the equipment in proper condition, insofar as is practicable.

§ 153.27 *Cargo: Loading and stowage.* If at any time prior to or after completion of the loading of any vessel in a U. S. port, the master shall deem that she is unseaworthy due to the stowage or nature of the cargo or both, he shall immediately so inform the District Office. An immediate examination of the vessel shall be made and, if necessary, the certificate of inspection shall be withdrawn until such time as the conditions found are satisfactorily corrected.



§ 153.28 *Administration.* If compliance with any of the requirements set forth in this part is shown to be unreasonable or impracticable, exemption may be granted upon satisfactory presentation of the facts and circumstances. Application for any such exemption should be made to the nearest District Office. Headquarters shall be informed when exemptions have been granted, together with reasons therefor.

In all cases, however, where the materials or equipments necessitated by these requirements are not available, it shall not be necessary to apply for formal exemption as above. While it is not intended that vessels be delayed for non-compliance, it is expected that diligent efforts will be made to meet these requirements as rapidly as is possible.

R. R. WAESCHE,  
Commandant.

APRIL 16, 1942.

[F. R. Doc. 42-3401; Filed, April 16, 1942;  
1:07 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[No. 3666]

#### REGULATIONS FOR TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of February, A. D. 1942.

*It appearing,* That certain new and amended regulations for the transportation of explosives and other dangerous articles by rail in freight, express and baggage services, and by water and highway, have been proposed for our approval, pursuant to section 233 of the Criminal Code (Transportation of Explosives Act), and section 204 (a) (2) of Part II of the Interstate Commerce Act;

*It further appearing,* That by notice dated January 19, 1942, these matters were circulated among all parties of record, specifying all changes proposed for our approval, except certain emergency applications hereinafter mentioned;

*It further appearing,* That in said notice it was stated that any party desiring to be heard upon any such proposed amendment should advise the Commission in writing within 20 days from the date of this notice; otherwise the Commission might proceed to investigate and determine the matters involved in the applications, or might temporarily suspend action on the proposed modifications pending formal hearing;

*It further appearing,* That as a result of conferences on matters involved in the applications as set out in notice of January 19, 1942, and certain further emergency applications later received and not included in such notice, agreement was reached by all parties of record with respect to the suggested requirements, with certain exceptions, and that the matters upon which no agreement

was reached have been reserved for further consideration;

*It further appearing,* That section 814 of the regulations as proposed in amended form in place of section 800 of regulations ordered August 16, 1941, was the subject of oral argument before the Division on March 18, 1941, and by agreement reached among all parties of record reports of accidents occurring on the highways by carriers subject to these regulations should be made to the Commission instead of the Bureau of Explosives;

*And it further appearing,* That the said new and amended regulations have been considered, and the Division finds that the said new and amended regulations attached to and made a part of this order, are in accord with the best-known practicable means for securing safety in transit covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport:

*It is ordered,* That the aforesaid regulations heretofore published in orders of August 16, 1940, March 31, 1941, and November 8, 1941,<sup>1</sup> be and they are hereby superseded and amended as indicated in the regulations made a part hereof, as of the effective date of this order, as follows:

#### PART 2—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Amending section 4, order August 16, 1940, as follows (*explanation of signs and abbreviations*):

(Add) <sup>1</sup> Required for rail express shipments only.

(Add) <sup>2</sup> Required for rail express and water shipments only.

#### List of Explosives and Other Dangerous Articles

Superseding and amending list, orders August 16, 1940, and March 31, 1941, as follows:

Article	Classed as—	Exemptions (sec.)	Label	Maximum quantity, express
(Change)* Crude nitrogen fertilizer solution.	Noninf. G.....	302, 303.....	Green.....	300 pounds.
(Change) Motion-picture film, unexposed (nitrocellulose base).	Inf. S.....	180.....	Yellow <sup>2</sup> .....	250 pounds.
(Add) Potassium nitrate mixed (fused) with sodium nitrite.	Oxy. M.....	182 (e).		
(Change) Fireworks.	Expl. B.....	No exemption 64..	Fireworks <sup>2</sup> .....	200 pounds.
(Change) Pyroxylin plastics, rods, sheets, rolls, tubes.	Inf. S.....	197.....	Yellow <sup>2</sup> .....	350 pounds.
(Change) *Rum, denatured.	Inf. L.....	103, 110.....	Red.....	10 gallons.
(Add) Sodium nitrite mixed (fused) with potassium nitrate.	Oxy. M.....	182 (e).		
(Change) X-ray film, unexposed (nitrocellulose base).	Inf. S.....	180.....	Yellow <sup>2</sup> .....	250 pounds.

<sup>1</sup> Required for rail express and water shipments only.

\*See sec. 4.

#### PART 3—REGULATIONS APPLYING TO SHIPPERS

##### PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

Amending section 31 (f), order August 16, 1940, as follows (*qualifications, maintenance and use of tank cars and tank motor vehicles*): (add)

NOTE: Periodic retests of metal tanks, safety valves, and heater systems of tank cars authorized for transportation of inflammable liquids and liquefied petroleum gases, now required to be made as prescribed in section 31 (f), may be waived because of the present emergency and until further order of the Commission.

##### INFLAMMABLE SOLIDS AND OXIDIZING MATERIALS

Superseding and amending section 162 (b) (7), order August 16, 1940, as follows (*packing charcoal, lump*):

(b) (7) Shipments must be loaded into tight box cars, tight container cars, or into tight closed-top hopper cars, except that lump charcoal made from soft wood may be shipped in open or stock cars.

Superseding and amending section 177, pars. (c) to (f), order August 16, 1940, to read as follows (*packing motion-picture film (nitrocellulose base) (exposed)*):

(c) *Spec. 15A, 15B, or 15C.* Wooden boxes with each reel in a tightly closed metal can, or strong cardboard or fiberboard box with cover held in place by adhesive tape or paper; gross weight not over 200 pounds.

(d) *Spec. 12B.* Fiberboard boxes complying with par. 30 (a) of this specification; authorized for a single tightly closed inside metal can or strong cardboard or fiberboard box with cover held in place by adhesive tape or paper, not over 2,000 feet of film. Taped closure authorized.

(e) *Spec. 12B.* One-piece fiberboard boxes complying with par. 30 (b) of this specification; authorized only when each film is in a tightly closed metal film-reel can or strong cardboard or fiberboard box with cover held in place by adhesive tape or paper containing not over 2,000 feet (approximately) of film; cans or boxes to be adequately braced in center of box by fiberboard, at least 175-pound test, extending full depth of box. Gross weight not over 65 pounds. Closing of box must be effected by coating entire contact surfaces of flaps with efficient adhesive; stitched closure not authorized. Boxes that have been filled, shipped, and opened, are not authorized for reuse.

<sup>1</sup> 5 F.R. 4909, 4987, 5085; 6 F.R. 1841, 6212.



(f) *Spec. 32C.* Trunks with each film in standard metal film-reel can or strong cardboard or fiberboard box with cover held in place by adhesive tape or paper. Trunks to contain no material other than films in cans or boxes and projecting apparatus. The apparatus, as packed, must not be capable of creating an electric current.

Superseding and amending section 180, pars. (a) to (d), order August 16, 1940, as follows (*packing motion-picture film and X-ray film, unexposed (nitrocellulose base)*):

180 (a) *Motion-picture film, and X-ray film, unexposed (nitrocellulose base)*, when offered for transportation by rail express or by carrier by water must bear the yellow label prescribed in sec. 404 (f) and must be packed in specification containers as follows:

(b) *Spec. 15A, 15B, 15C or, 16A.* Wooden boxes, provided it is in tight rolls of not over 3,000 feet; each roll must be in a tightly closed metal can with cover held in place by adhesive tape or paper, or each roll must be in a strong cardboard or fiberboard box with cover held in place by adhesive tape or paper. Gross weight not over 250 pounds.

(c) *Spec. 12B.* One-piece fiberboard boxes complying with par. 30 (b) of this specification; authorized only when each film is in a tightly closed metal can or in a strong cardboard or fiberboard box with cover of can or box held in place by adhesive tape or paper and containing not over 2,000 feet (approx.) of film; interior packing required, of double-wall corrugated fiberboard pads at least 275-pound test, so arranged as to prevent can or box from touching the 6 faces of the outside box. Gross weight not over 75 pounds. Boxes that have been filled, shipped and opened are not authorized for reuse.

(d) *Motion-picture film and X-ray film, unexposed (nitrocellulose base)* are exempt from specification packaging, marking other than name of contents, and labeling requirements for transportation by rail freight and highway.

Amending section 182, order August 16, 1940, as follows (*packing nitrates*): (add)

(e) (1) *Nitrate of potassium mixed (fused) with nitrite of sodium* may be shipped when packed in specification containers as follows:

(e) (2) *Spec. 103W.* Tank cars specially designed, equipped and approved for this service without bottom discharge outlet and with heavier plate thicknesses than the minimum prescribed for cars built under this specification. For specification 103W tank cars made of plates having the minimum prescribed thicknesses, internal reinforcement of the upper sheets of tank in the region of the dome and reinforcing plates attached to the bottom sheet of the tank which rests on bolsters is required, and these tanks must be equipped with baffle plates. Heater pipes must be of welded construction designed for a test pressure of 500

pounds per square inch. A 1-inch woven asbestos lining must be placed between bolster slabbing and bottom of tank to prevent heat transmission. Safety vents of the frangible disc type may be used and if used the frangible discs must be perforated with  $\frac{1}{8}$  inch hole. If safety valves are used a vacuum relief valve must be installed on the dome. Tanks must be stenciled on both sides "Fused Potassium Nitrate and Sodium Nitrite Only."

Amending section 201, order August 16, 1940, as follows (*packing rubber scrap and rubber buffings*): (add)

(d) (1) *Spec. 10A.* Wooden barrels or kegs.

(d) (2) *Spec. 12B.* Fiber boxes.

(d) (3) *Spec. 21A.* Fiber drums.

(d) (4) *Spec. 22A.* Wooden drums.

(d) (5) Tank cars tightly and securely closed.

#### Acids and Other Corrosive Liquids

Superseding and amending section 264 (c) (3), order August 16, 1940, as follows (*packing hydrofluoric acid, anhydrous*):

(c) (3) *Spec. 105, 105A500, or ARA-V.* Tank cars equipped with special valves and appurtenances approved for this particular service. Filling density must not exceed 90 percent of the pounds water weight capacity of the tank.

Amending section 272, order August 16, 1940, as follows (*packing sulfuric acid, etc.*): (add)

(g) (1) *Spec. 17F.* Metal barrels or drums (single trip) only for acid of 1.81 specific gravity (65° Baume) or greater strength or when the strength of the acid is 60-65° Baume and the acid has been treated with an inhibitor that renders its corrosive effect on steel no greater than 66° Baume commercial sulfuric acid.

#### Compressed Gases

Amending section 303 (j) (3), order August 16, 1940, as follows (*packing compressed gases, filling limit*): (add)

NOTE: Because of the present emergency and until further order of the Commission, I C C-3A cylinders may be charged with compressed gases, other than liquefied or dissolved gases, to a pressure 10 percent in excess of their marked service pressures.

Amending section 303, par. (q) (1), table, order August 16, 1940, and addition of Note 15, as follows (*compressed gases shipped in tank cars*):

Name of gas	Maximum permitted filling density, note 1	Required type of tank car, note 2
Liquefied petroleum gas (pressure not exceeding 65 pounds per square inch at 105° F.).	Note 3 only.	ARA-IV and ICC-104 note 15.

NOTE 15: Because of the present emergency and until further order of the Commission, specification ARA-IV and ICC-104 tank cars, converted as follows, are authorized for use:

Tank must be tested to 75 pounds per square inch hydrostatic pressure and show no leakage with lagging removed.

Bottom discharge outlet must be removed, the opening closed with a riveted plate, and a sump applied.

Safety valves must be removed and replaced by two safety valves of the type and size used on ICC-104A tank cars but set to open at 60 pounds per square inch instead of 75 pounds.

The various approved dome fittings now required on ICC-104A tank cars must be installed in an approved manner to provide for the loading, unloading, gaging, sampling, and taking of temperature of contents without removing the manhole closure.

Tank jacket must be stenciled immediately above the mark ARA-IV or ICC-104 with the words "For Liquefied Petroleum Gas Not Exceeding 65 Pounds Gage Pressure at 105° F. Only."

Superseding and amending in part Note 3, beginning with specific gravity 0.591 of table, and adding addendum to Note 3, section 303 (q) (1), order of August 16, 1940, as follows (*maximum permitted filling density in tank cars transporting liquefied petroleum gas of specific gravity shown, taken at 60 degrees, F.*):

Specific gravity:	Filling density (Change)
0.591	56.090
0.592	56.180
0.593	56.270
0.594	56.360
0.595	56.450
0.596	56.540
0.597	56.630
0.598	56.720
0.599	56.810
0.600	56.900
0.601	56.990
0.602	57.080
0.603	57.170
0.604	57.260
0.605	57.350
0.606	57.440
0.607	57.530
0.608	57.620
0.609	57.710
0.610	57.800
0.611	57.890
0.612	57.980
0.613	58.070
0.614	58.160
0.615	58.250
0.616	58.340
0.617	58.430
0.618	58.520
0.619	58.610
0.620	58.700
0.621	58.790
0.622	58.880
0.623	58.970
0.624	59.060
0.625	59.150
0.626	59.240
0.627	59.330
0.628	59.420
0.629	59.510
0.630	59.600
0.631	59.690
0.632	59.780
0.633	59.870
0.634	59.960
0.635	60.050

Addendum to Note 3. Because of the present emergency and until further order of the Commission, and only for shipments made during the months of November to March, inclusive, the following filling densities may be used in lieu of those specified in the foregoing table as amended:



Specific gravity:	Filling density
0.500.....	47.40
0.510.....	48.51
0.520.....	49.60
0.530.....	50.69
0.540.....	51.78
0.550.....	52.84
0.560.....	53.91
0.570.....	54.96
0.580.....	56.01
0.590.....	57.06
0.600.....	58.01
0.610.....	58.97
0.620.....	59.94
0.630.....	60.91
0.635.....	61.39

#### Poisonous Articles

Amending section 357, order August 16, 1940, as follows (*packing cyanides or cyanide mixtures*) (Add):

(a) (11) *Spec. 22A or 22B. Plywood drums.*

#### SHIPPING INSTRUCTIONS

Superseding and amending headparagraph (b), section 416, order March 31, 1941, to read as follows (*cars fumigated with inflammable liquids or toxic or poisonous liquids or gases*):

(b) Cars or the lading thereof which have been fumigated with poisonous or toxic liquid or gas, such as chlorpicrin, hydrocyanic acid, methyl bromide, etc., must be placarded on each door or near thereto with placard reading as follows:

(Placard remains unchanged)

#### APPENDIX—SHIPPING CONTAINER SPECIFICATIONS

Superseding and amending *specification 12B*, par. 27, order March 31, 1941, to read as follows:

27. *Special box. Authorized only for pyroxylin in sheets, rods, or tubes.* Must comply with this specification with the following additions and exceptions: Must be of telescope type; board must be double-faced or double-wall corrugated fiberboard, made with facings at least 0.030 inch thick, of at least 500-pound test strength; closure by cloth tape at least 4 inches wide (see par. 11) extending across and along all open edges is authorized in lieu of closing by adhesive; authorized gross weight 90 pounds.

Superseding and amending *specification 15A*, pars. 12 (a), (c), (d), order August 16, 1940, to read as follows:

(a) *Nailed boxes not cleated (Style 1).* Authorized gross weight not over 100 pounds, see Note 1. Sides as in Table 1; top and bottom as in Table 1A; ends as in Table 5.

(c) *Single-cleated boxes (Style 4 or 5).* Authorized gross weight not over 200 pounds, see Note 2. Sides as in Table 1; top and bottom as in Table 1A; ends and cleats as in Table 3A.

(d) *Double-cleated boxes (Style 2, 2½, or 3).* Authorized gross weight not over 500 pounds, see Note 3. Sides as in Table 1; top and bottom as in Table 1A; ends and cleats as in Table 2A. Or, sides as in Table 1; top and bottom as in Table 1A; cleats as in Table 3B; ends not thinner than thickest side or top.

NOTE 1: When group II woods are used the gross weight may be increased to 110 pounds.

NOTE 2: When group II woods are used the gross weight may be increased to 220 pounds.

NOTE 3: When group II woods are used the gross weight may be increased to 550 pounds.

Amending order August 16, 1940, as follows: (add)

Marked capacity not over (gallons)	Type of container	Minimum thickness in the black (gauge, U. S. Standard)		Rolling hoops		
		Body sheet	Head sheet	Type	Minimum	
					Size	Weight
55	St. side.....	16	16	(1)	-----	-----

<sup>1</sup> Rolled or swaged-in hoops. Use of I-bar hoops authorized.

8. (a) *Rolling hoops.* To be expanded. Alternate use of I-bar hoops authorized. Extra corrugations between hoops and chimes required.

(b) *Convex heads.* Convex (crowned) heads; minimum convexity to be ¾ inch, with minimum chime height of 1¼ inches.

9. (c) This paragraph does not apply.

(e) One opening not over 2.3 inches and one opening not over ¾ inch allowed; both openings to be welded in one head only. Threads to be standard pipe thread of 11 threads per inch for the larger opening and 14 threads per inch for the ¾-inch opening.

11. (a) ICC-17F. This mark shall be understood to certify that the container complies with all specification requirements. The letters STC, located just below or above the ICC mark, to indicate "single trip container."

13. Tests to be those prescribed in paragraphs 13, 13 (a), 13 (b), and 14 of specification 5A.

Superseding and amending *specification 37H*, paragraph 6, order November 8, 1941, to read as follows:

6. *Closure required.* Adequate to prevent leakage; gasket required when necessary; to be of screw-thread type or secured by positive fastening. Filling of opening over 9-inch diameter unauthorized, except when consisting of full removable head. Dustproof closure required. If closing device can not be opened and closed without reducing efficiency, container must, when specified on purchase order, be provided with supplementary opening for sampling at least 2 inches in diameter with closing device

#### SPECIFICATION 17F—STEEL DRUMS

##### Single Trip Container

[Removable head containers not authorized]

Containers must comply with specification 5A except as follows (paragraph references are to specification 5A):

3. *Composition.* Sheets for body and heads to be low carbon, open hearth or electric steel. Steel to be as high as practicable in tensile strength, having no loose oxide or scale.

6. *Chime reinforcement* required and to be not less than 11 gauge.

7. *Parts and dimensions.* As follows:

such that it can be opened and closed without reduction of efficiency.

#### TANK CAR TANK SPECIFICATIONS

Superseding and amending *specification 103A*, par. 14 (a), order August 16, 1940, to read as follows:

14. *Safety vents.* (a) Safety valves prohibited, but a safety vent must be applied. For experimental purposes, and until further order of the Commission, sulfuric acid, except oleum, mixed acid (nitric and sulfuric acid) (nitrating acid), and other fuming acids, may be transported in specification 103A tank cars having safety vents equipped with lead discs having ⅛-inch breather holes in the center thereof.

Superseding and amending *specification 103B*, par. 14 (a), order August 16, 1940, to read as follows:

14. *Safety vents.* (a) Safety valves prohibited, but a safety vent must be applied. For experimental purposes, and until further order of the Commission, hydrochloric acid, except hydrochloric (muriatic) acid over 20° Baume strength, and other fuming acids, may be transported in specification 103B tank cars having safety vents equipped with frangible discs having ⅛-inch breather holes in the center thereof.

#### PART 4—REGULATIONS APPLYING PARTICULARLY TO CARRIERS BY RAIL FREIGHT

Superseding and amending section 525, pars. (a) and (b) (12), section 526, pars. (c), (g), and (m), and section 527, pars. (a) and (c), order Aug. 16, 1940, and section 533-chart, in parts indicated, order Nov. 8, 1941, as follows (*loading packages*



of explosives in cars, selection, preparation, inspection of car and certificate):

#### 525 CERTIFIED CARS

(a) For the transportation of smokeless powder for small arms in quantity exceeding 50 pounds and all dangerous explosives, class A, except blasting caps and electric blasting caps not exceeding 1,000 caps, only closed cars, certified and placarded "Explosives," may be used.

(b) (12) A car must not be loaded with any of the dangerous explosives, class A, or smokeless powder for small arms in quantity exceeding 50 pounds, until it shall have been thoroughly inspected by a competent employee of the carrier who shall certify as to its proper condition under these regulations and shall sign certificate No. 1 prescribed in sec. 525 (e) and (f).

#### 526 LOADING IN CARS

(c) Explosives for which a certified and placarded car is prescribed (see sec. 525 (a)) must not be loaded higher than the permanent car lining unless additional lining is provided as high as the lading.

(g) Packages containing any of the explosives for the transportation of which a certified and placarded car is prescribed (see sec. 525 (a)), and blasting caps or electric blasting caps in any quantity, must be stayed (blocked and braced) by the one who loads the car, so as to prevent change of position by the ordinary shocks incident to transportation. Special care must be used to prevent such packages from falling to the floor or from having anything fall on them or slide against them during transit. (See note.)

NOTE: For recommended methods of blocking and bracing, see Bureau of Explosives' Pamphlet 6.

(m) Container cars must not be used for smokeless powder for small arms in quantity exceeding 50 pounds, dangerous explosives, or blasting caps in any quantity.

#### 527 FORBIDDEN MIXED LOADING AND STORAGE

(a) Dangerous explosives, class A, smokeless powder for small arms in quantity exceeding 50 pounds and initiating or priming explosives must not be transported in the same car with, nor be stored on railway property near, any of the dangerous articles other than explosives for which red, yellow, green, or white (acid or corrosive liquid) labels are prescribed herein, nor with charged electric storage batteries.

(c) Explosives which under these regulations require certified cars placarded "Explosives" (see sec. 525 (a)), blasting caps in any quantity, and acids or corrosive liquids in carboys, must not be carried in trucks, truck bodies, or trailers, on flatcars.

#### 533 LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Change description in headline and sideline "(b)" to read as follows: High explosives and smokeless powder for

small arms in quantity exceeding 50 pounds.

Change description in headline and sideline "2" to read as follows: Smokeless powder for cannon or smokeless powder for small arms in quantity not exceeding 50 pounds.

#### PLACARDS ON CARS

Superseding and amending section 540, order August 16, 1940, and section 541, pars. (e) and (f), order November 8, 1941, to read as follows:

540 "Explosives" placards as prescribed by sec. 549 must be applied to certified cars containing dangerous explosives, class A, specified in secs. 52 to 62, and smokeless powder for small arms in quantity exceeding 50 pounds.

NOTE: For cars also requiring the poison gas placard see sec. 542.

541 (e) Cars containing shipments of less dangerous explosives, class B. See sec. 525 (a) for placarding cars containing shipments of smokeless powder for small arms in quantity exceeding 50 pounds.

NOTE: For cars also requiring the poison gas placard see sec. 542.

(f) When dangerous explosives, class A, or smokeless powder for small arms in quantity exceeding 50 pounds, are loaded in the same car with less dangerous explosives, class B, only the "Explosives" placard is required.

Amending section 548, order August 16, 1940, as follows (application of placards) (add):

(1) Metal reversible placards, bearing on one side the "Dangerous" placard

wording as prescribed in sec. 551 and on the reverse side the "Dangerous-Empty" placard wording as prescribed in sec. 563 may be used in lieu of placard holders prescribed in note to sec. 548 (j). The wording on these placards must be kept distinct as to colors and clearly legible.

Superseding and amending section 562 (b), order August 16, 1940, to read as follows (removal of placards and car certificate after unloading):

(b) After tank car is unloaded, the party unloading the car must remove all shipping cards and "Dangerous" placards from car, or may replace or cover the placards with the "Dangerous-Empty" placards described in sec. 563, or reverse the reversible metal placards so as to exhibit the "Dangerous-Empty" wording, and must promptly notify the railroad agent that car is empty.

#### HANDLING BY CARRIERS BY RAIL FREIGHT

Superseding and amending headparagraph (b), section 579 (b), order March 31, 1941, to read as follows (cars fumigated with inflammable liquids or toxic or poisonous liquids or gases):

(b) Cars or the lading thereof which have been fumigated with poisonous or toxic liquid or gas, such as chlorpicrin, hydrocyanic acid, methyl bromide, etc., must be placarded on each door or near thereto with placard reading as follows:

(Placard remains unchanged)

Superseding and amending section 584, table, in part, order August 16, 1940, to read as follows (waybills, switching orders, or other billing):

	Label notation to follow entry of the article on the billing	Placard notation to follow entry of the article on the billing	Placard indorsement must be 3/4" high and appear on the billing near the car number
For high explosives, initiating explosives and low explosives, class A, and smokeless powder for small arms in quantity exceeding 50 pounds.	None.....	None.....	"Explosives."
For less dangerous explosives, class B, except smokeless powder for small arms in quantity exceeding 50 pounds.	None.....	None.....	"Dangerous."

Amending section 589, order August 16, 1940, as follows (handling cars) (add):

(q) (1) When a car seal is changed on a car of explosives, a record must be made showing the following information:

(Railroad) (Place) (Date)  
 Number or description of seal broken  
 Number or description of seal used to reseal car  
 Reason for opening car  
 Condition of load  
 Name and occupation of person opening car

This record shall be shown on waybill or other form or memorandum which shall accompany car to destination.

Superseding and amending section 598 (a), order August 16, 1940, to read as follows:

#### 598 INSPECTION OF CARS AT INTERCHANGE

(a) Cars containing explosives requiring explosives placards (see sec. 525 (a)),

which are offered by connecting lines must be carefully inspected by the receiving line on the outside including the roof; and, if practicable, the lading must also be inspected. These cars must not be forwarded until all discovered violations have been corrected. (See sec. 589 (q) (1) for recording seal numbers of cars opened.)

#### PART 7—REGULATIONS APPLYING TO SHIPMENTS MADE BY WAY OF COMMON OR CONTRACT CARRIERS BY PUBLIC HIGHWAY

Superseding and amending section 814, order November 8, 1941, as follows (accidents to be reported):

814 (Sec. 800 of regulations effective January 7, 1941) Accidents to be reported. Fires or explosions occurring in connection with the transportation, or storage on carrier's property, of explosives or other dangerous articles, and leaking, broken, or seriously damaged containers, must be reported promptly



by the highway carrier to the Commission. These reports are required to the end that further use of containers shown by experience to be inefficient may be prohibited by the Commission:

No. 3666

Report To

BUREAU OF SERVICE

INTERSTATE COMMERCE COMMISSION

WASHINGTON, D. C.

[Fires, explosions, and leaking, broken, or seriously damaged containers that can be attributed in whole or in part to the transportation or storage of explosives or other dangerous articles]

Submitted by \_\_\_\_\_  
(Name of carrier—corporate or business name)

(Date) \_\_\_\_\_, 19\_\_\_\_

Address \_\_\_\_\_  
(Street and number)

(City—town) \_\_\_\_\_ (State) \_\_\_\_\_

Common carrier, I.C.C. certificate No. \_\_\_\_\_

Contract carrier, I.C.C. permit No. \_\_\_\_\_

Date of accident or discovery of damage \_\_\_\_\_

place \_\_\_\_\_

Commodity and quantity \_\_\_\_\_; quantity destroyed \_\_\_\_\_

What marking or placards were on motor vehicle? \_\_\_\_\_

If a tank motor vehicle, what sign or other marking to indicate contents? \_\_\_\_\_

Show package markings: \_\_\_\_\_

Name of contents \_\_\_\_\_; I.C.C. Spec. No. \_\_\_\_\_

Label \_\_\_\_\_

Serial Nos. \_\_\_\_\_; Code Nos. \_\_\_\_\_

If carboy, show box maker's name \_\_\_\_\_

and whether straight sided \_\_\_\_\_ or balloon shaped \_\_\_\_\_

Name and address of shipper \_\_\_\_\_

Name and address of consignee \_\_\_\_\_

T. L. or L. T. L. shipment \_\_\_\_\_

#### RESULTS OF ACCIDENT

(State whether in transportation or storage)

Number of persons injured \_\_\_\_\_; killed \_\_\_\_\_

Property loss:

Reporting-carrier's vehicle... \$ \_\_\_\_\_

Other vehicles... \$ \_\_\_\_\_

Reporting-carrier's cargo... \$ \_\_\_\_\_

Other cargoes... \$ \_\_\_\_\_

Other property (describe) \_\_\_\_\_

Total loss... \$ \_\_\_\_\_

Give all essential facts and details of handling (use additional sheet if necessary), stating: (1) Part of package damaged or leaking, and what was done to stop leak, (2) rate of leakage, (3) probable cause of fire, explosion, or leaking, broken, or seriously damaged container, (4) distance between source of ignition and point of leakage of inflammable liquid or vapor, (5) description of package, packing or cushioning material, and method of loading and bracing in vehicle, (6) for tank motor vehicle, speed of vehicle, condition of highway, degree and elevation of curve, if any, (7) any defective condition of vehicle likely to contribute directly to accident, and (8) specification number, type, or other identifying description of tank, and date built, if shown.

Is this accident also being reported to the Commission on Form BMC-50?

(Yes or no)

This report is required by sec. 814 of regulations in Docket 3666.

Information furnished on this form will not be open to public inspection.

(Signed) \_\_\_\_\_

Superseding and amending section 827 (a), order November 8, 1941, to read as follows (*disabled vehicles and broken or leaking packages; repairs*):

827 (a) (See also Forbidden Articles, section 821) *Care of loading, explosives or other dangerous articles.* In the event of disablement of a motor vehicle transporting any explosives or other dangerous article, special care shall be taken to guard the vehicle and its load or to take such steps as may be necessary to provide against hazard. Special effort shall be made to remove the motor vehicle to a place where the hazards of the materials being transported may be provided against. See rules 2.23 and 2.24, Motor Carrier Safety Regulations, Revised, Part 2, for signals required to be displayed on the highway.

It is further ordered, That the aforesaid regulations as further amended herein shall be and remain in full force and effect on and after June 15, 1942, and shall be observed until the further order of the Commission;

It is further ordered, That compliance with the aforesaid regulations, as amended, made effective by this order, is hereby authorized on and after the date of service hereof;

And it is further ordered, That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the Office of the Secretary of the Commission at Washington, D. C.

By the Commission, division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 42-3400; Filed, April 16, 1942;  
11:18 a. m.]

#### TITLE 50—WILDLIFE

##### Chapter I—Fish and Wildlife Service

##### PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

##### LACASSINE NATIONAL WILDLIFE REFUGE, LOUISIANA

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i, as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II<sup>1</sup> (53 Stat. 1431), the following is ordered:

§ 25.532 *Lacassine National Wildlife Refuge, Louisiana; fishing.* Fishing is permitted during the hours from sunrise to 8 p. m. in all waters of the Lacassine National Wildlife Refuge, Louisiana, except during the period from the beginning of the open season on the hunting of migratory birds to April 30, inclusive, in accordance with the provisions of the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service and subject to the following conditions and restrictions:

<sup>1</sup> 4 F.R. 2731

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Louisiana.

(b) *Fishing licenses and permits.* Any person who fishes commercially within the refuge shall be in possession of a valid fishing license issued by the Louisiana Department of Conservation, if such license is required, and a permit issued by the officer in charge of the refuge. The permit issued by the officer in charge of the refuge shall specify the water or waters in which the permittee may fish, the period or periods during which such fishing may be performed, the type and amount of commercial fishing apparatus or paraphernalia that may be used, and the manner in which such apparatus or paraphernalia shall be marked for identification purposes. The officer in charge may limit the number of permits issued, refuse to issue permits, or withdraw permits that have been issued by him for commercial fishing for any particular waters during such periods as, in his discretion, such action is necessary for the protection of refuge property or to prevent disturbance to concentrations of waterfowl using such waters or areas. Any person who fishes for sport or non-commercial purposes within the refuge shall be in possession of a valid sport fishing license issued by the Louisiana Department of Conservation, if such license is required, and such license shall serve as a Federal permit for fishing in the waters of the refuge. All licenses and permits must be carried on the person of the licensee while fishing and must be exhibited upon the request of any representative of the Louisiana Department of Conservation or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge. (Sec. 10, 45 Stat. 1224; 16 U.S.C. 715i; Reorg. Plan No. II, 4 F.R. 2731; 53 Stat. 1433)

OSCAR L. CHAPMAN,  
Assistant Secretary.

APRIL 6, 1942.

[F. R. Doc. 42-3409; Filed, April 16, 1942;  
3:25 p. m.]

#### Notices

##### DEPARTMENT OF THE INTERIOR.

##### Bituminous Coal Division.

[General Docket No. 21]

IN THE MATTER OF DETERMINING THE EXTENT OF CHANGE, IF ANY, IN EXCESS OF 2 CENTS PER NET TON IN THE WEIGHTED AVERAGE OF THE TOTAL COSTS OF ANY OF THE MINIMUM PRICE AREAS; AND OF REVISING THE EFFECTIVE MINIMUM PRICES AS MAY BE REQUIRED BY REASON OF ANY SUCH CHANGE IN COSTS

##### NOTICE OF AND ORDER FOR RESUMPTION OF HEARING

Pursuant to the Notice of and Order for Hearing of the Director dated May 2, 1941, the hearing in this matter was



initiated on May 21, 1941. In the interests of orderly procedure, it was provided that the hearing at that time be limited solely to the matter of extent of change, if any, in the weighted average of the total costs per net ton, theretofore determined by the Division in General Docket No. 15, for the various minimum price areas; at a subsequent time the hearing was to be resumed for the purpose of taking evidence with respect to such revision of the effective minimum prices as might be required by satisfactory proof of changes in costs in excess of 2 cents per net ton. Thereupon, evidence was taken concerning the extent of change, if any, in the weighted average of the total costs for each of the minimum price areas, and that phase of the hearing was closed on September 16, 1941, subject to the Director's order, and further procedure in General Docket No. 21 which might be had pursuant to such order.

Thereafter, an Examiner's Report, exceptions thereto, and briefs in support thereof having been filed, and oral argument of such exceptions having been heard by him, the Acting Director, on January 27, 1942, issued his Findings of Fact, Conclusions of Law and Opinion and an Order in this proceeding determining that changes per net ton have occurred in the weighted averages of the total costs, theretofore determined in General Docket No. 15, for the several districts and minimum price areas, as follows:

	Cents increase
Minimum Price Area No. 1.....	12.19
Minimum Price Area No. 2.....	1.03
Minimum Price Area No. 3.....	31.18
Minimum Price Area No. 4.....	22.80
Minimum Price Area No. 5.....	3.47
Minimum Price Area No. 6.....	9.78
Minimum Price Area No. 7.....	4.21
Minimum Price Area No. 9.....	1.83
Minimum Price Area No. 10.....	29.64

Thereafter the Secretary of the Interior reviewed certain questions of law and policy involved in the Acting Director's determination. Under date of April 13, 1942, the Secretary issued his Order and Opinion in which he affirmed the determinations of the Acting Director to the extent they were reviewed.

Under section 4 II (a) of the Bituminous Coal Act of 1937, it is the duty of the Division, upon satisfactory proof of such changes, to increase or decrease the effective minimum prices accordingly.

Under section 4 II (b) of the Act, it is the duty of the Division, from time to time, to review and revise the effective minimum prices in accordance with the standards set forth in sections 4 II (a) and 4 II (b).

Now, therefore, it is ordered: (1) That the hearing in the above-entitled matter be resumed on May 5, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. (on the date set for resumption of hearing, the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held) before the Examiner previously designated by the Director to preside at the hearing in this

matter and subject to the authority previously granted in the aforesaid Notice of and Order for Hearing dated May 2, 1941;

(2) That said hearing be resumed for the purpose of and be strictly limited to determining what adjustments should be made in the existing minimum prices in order to reflect the foregoing changes in cost heretofore found by the Acting Director in this proceeding;

(3) That in the absence of any showing why the minimum prices should not be increased or decreased in accordance with the cost changes for such price areas where the established change is in excess of two cents per ton increases or decreases in the minimum prices presently effective be made accordingly;

(4) That any interested person who objects to the increase or decrease of minimum prices in accordance with the cost changes shall file a written objection with the Division, setting forth in full detail the precise nature of his objection, the reasons therefor, and the nature of the data and proof which will be offered in support thereof, as well as such alternative price changes as such person seeks to have adopted. Such objection must be verified and must be filed with the Division on or before April 30, 1942. Any objection, not complying with the requirements above set forth or, not directed to the propriety of the increase or decrease of minimum prices in accordance with cost changes may be dismissed in whole or in part upon application by any party or by the Examiner, on his own motion;

(5) That the adducing of evidence designed to show why the increase or decrease of minimum prices should not be made in accordance with the cost changes be limited strictly to such persons as have filed objections in full compliance with the preceding paragraph and, furthermore, the adducing of evidence by such persons be limited strictly to matters clearly set forth in objections duly filed under the preceding paragraph;

(6) That there be reserved to the Division the right to order such further or other proceedings and to institute such further or other action in this matter as it may deem appropriate; and

(7) That this proceeding be without prejudice to the right of any party to file such application or petition as may be appropriate under section 4 II (d) or any other provision of the Act for the revision of effective minimum prices by reason of any determined change in the costs in any minimum price area or by reason of dissatisfaction with minimum prices as established by the Division.

Notice of the resumption of this hearing is hereby given to the Bituminous Coal Producers Board for each district, to all code members, to the Bituminous Coal Consumers' Counsel, to all parties to this proceeding, and to all other persons who may have an interest in this matter.

Dated April 17, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3416; Filed, April 17, 1942; 10:35 a. m.]

[Docket No. B-83]

IN THE MATTER OF REYNOLDS, LATTIER, AND SCHIED, ALSO KNOWN AS CHARLES REYNOLDS, DAVID LATTIER AND JOHN SCHIED, INDIVIDUALLY AND AS COPARTNERS, DOING BUSINESS UNDER THE NAME AND STYLE OF REYNOLDS, LATTIER, AND SCHIED, CODE MEMBER, DEFENDANTS

#### ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing at 10 a. m. on April 20, 1942, at a hearing room of the Bituminous Coal Division, at the Post Office Building, Terre Haute, Indiana; and

It appearing to the Acting Director advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and the same is hereby, postponed to a date and at a hearing room to be hereafter designated by an appropriate order.

Dated: April 15, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3417; Filed, April 17, 1942; 10:35 a. m.]

[Docket No. A-1338]

PETITION OF DISTRICT BOARD NO. 2 FOR THE TEMPORARY ESTABLISHMENT OF AN ADDITIONAL SHIPPING POINT FOR THE SUNNYHILL No. 4 (STRIP) MINE, MINE INDEX No. 2335, IN DISTRICT NO. 2

#### ORDER GRANTING TEMPORARY RELIEF

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment for ninety (90) days of Midway, Pennsylvania, on the Pennsylvania Railroad, as an additional rail shipping point for the coals of the Sunnyhill No. 4 Mine, Mine Index No. 2335, in District No. 2, on the ground that its tippie at Boggs, Pennsylvania, on Montour Railroad has not yet been completed; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth, that no petitions of intervention have been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the price classifications and minimum prices effective for the coals of the Sunnyhill No. 4 (strip) Mine, Mine Index No. 2335, of the Sunnyhill Coal Company, in District No. 2, for rail shipments from Boggs, Pennsylvania, on the Montour Railroad shall also be effective for rail shipments from Midway, Pennsylvania, on the Pennsylvania Railroad. The adjustments required or permitted of mines in Freight Origin Group No. 74 shall be applicable solely while such shipments are made from Midway, Pennsylvania, on the Pennsylvania Railroad.



*It is further ordered,* That applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

*It is further ordered,* That the relief herein granted shall terminate ninety (90) days from the date of this Order, or upon the completion of the said rail shipping point at Boggs, Pennsylvania, on the Montour Railroad, whichever shall first occur, unless it shall otherwise be ordered.

Dated: April 15, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3419; Filed, April 17, 1942;  
10:36 a. m.]

[Docket No. B-230]

IN THE MATTER OF RAY A. COLLINS, INDIVIDUALLY AND AS SURVIVING PARTNER OF THE FORMER PARTNERSHIP DOING BUSINESS UNDER THE NAME AND STYLE OF RAMSAY-COLLINS FUEL COMPANY (RAMSAY COLLINS FUEL COMPANY), CODE MEMBER

ORDER POSTPONING HEARING AND REDESIGNATING TRIAL EXAMINER

The above-entitled matter having been heretofore scheduled for hearing on April 27, 1942, at 10:00 a. m. at a hearing room of the Bituminous Coal Division at the State Capitol, Des Moines, Iowa; and

It appearing to the Acting Director that it is advisable to postpone said hearing;

*Now, therefore, it is ordered,* That the hearing in the above-entitled matter be, and it hereby is, postponed from April 27 at 10:00 a. m. to May 18, 1942, at 10:00 a. m. at a hearing room of the Bituminous Coal Division at the State Capitol Building, Des Moines, Iowa; and

*It is further ordered,* That Trial Examiner Charles O. Fowler or any other officer of the Bituminous Coal Division that may be designated shall preside at said hearing vice Joseph D. Dermody.

Dated: April 15, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3418; Filed, April 17, 1942;  
10:35 a. m.]

[Docket No. A-1389]

PETITION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF A DEDUCTION OF 10 CENTS PER NET TON FOR FREIGHT RATE DIFFERENTIALS APPLICABLE ON SHIPMENTS FROM THE BOBOLINK MINE (MINE INDEX NO. 11) OF THE PYRAMID COAL CORPORATION, TO MARKET AREA NO. 33 (TERRE HAUTE, INDIANA)

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed

with this Division by the above-named party:

*It is ordered,* That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on May 15, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered,* That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before May 9, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to a petition of District Board No. 11 for the establishment of a deduction of 10 cents per net ton on shipments of coal from the Bobolink Mine (Mine Index No. 11) of the Pyramid Coal Corporation, to Terre Haute, Indiana (Market Area No. 33), via the Indiana Railroad and the CMST&P Railroad.

Dated: April 15, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-3420; Filed, April 17, 1942;  
10:38 a. m.]

General Land Office.

STOCK DRIVEWAY WITHDRAWAL No. 23,  
WYOMING No. 6, REDUCED

The departmental order of June 20, 1918, creating Stock Driveway Withdrawal No. 23, Wyoming No. 6, under section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, is hereby revoked so far as it affects the following-described public land within Wyoming Grazing District No. 3, and embraced in the exchange application, Cheyenne 066035, of the City of Rawlins:

SIXTH PRINCIPAL MERIDIAN

T. 18 N., R. 88 W., Sec. 4, lot 1, 38.91 acres.

OSCAR L. CHAPMAN,

Assistant Secretary of the Interior.

APRIL 3, 1942.

[F. R. Doc. 42-3403; Filed, April 16, 1942;  
3:21 p. m.]

TRANSFER OF LANDS FROM STANISLAUS NATIONAL FOREST TO YOSEMITE NATIONAL PARK, PURSUANT TO THE ACT OF JULY 9, 1937

CALIFORNIA

APRIL 4, 1942.

The act of July 9, 1937, 50 Stat. 485, 486; 16 U.S.C. 47 e, f, authorized the Secretary of the Interior to acquire, by purchase or condemnation, the privately-owned lands within the following-described area, in the Stanislaus National Forest, and provided that when the title to such lands had been vested in the United States, all the described lands should be added to and become a part of the Yosemite National Park and be subject to all laws and regulations applicable thereto:

MOUNT DIABLO MERIDIAN

T. 1 S., R. 19 E.,

Sec. 25,

Sec. 34, lots 3, 4, 5, 8, 9,

Sec. 35, lots 1 to 10, inclusive, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ -NW $\frac{1}{4}$ ,

Sec. 36;

T. 2 S., R. 19 E.,

Secs. 1, 2, and 3,

Sec. 10, E $\frac{1}{2}$ ,

Secs. 11 and 12,

Sec. 14, N $\frac{1}{2}$ ,

Sec. 15, NE $\frac{1}{4}$ ;

T. 1 S., R. 20 E.,

Sec. 30, lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ,

SE $\frac{1}{4}$ ,

Sec. 31;

T. 2 S., R. 20 E.,

Sec. 6, lots 3 to 7, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,

E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

aggregating 8,206.78 acres, public and non-public land.

The National Park Service has reported that the title to the last tract remaining in private ownership within the area was accepted by the Department of the Interior on January 11, 1940. It therefore appears that, pursuant to the aforesaid act of July 9, 1937, all the lands above described were added to and be-



came a part of the Yosemite National Park effective January 11, 1940.

The provisions of the Federal Power Act, as amended, do not apply to the lands added to the national park as herein set forth.

The reservation made pursuant to the act of July 9, 1937, supersedes the reservation of the lands for the Stanislaus (formerly Sierra) National Forest made by the act of February 7, 1905, 33 Stat. 702, 16 U.S.C. 46, and the withdrawal from all forms of appropriation under the public-land laws, including the mining laws, of the public lands within the above-described area, made by Executive Order No. 7898 of May 26, 1938.

FRED W. JOHNSON,  
Commissioner.

[F. R. Doc. 42-3404; Filed, April 16, 1942;  
3:21 p. m.]

AIR NAVIGATION SITE WITHDRAWAL No. 146,  
ENLARGED  
ALASKA

APRIL 7, 1942.

It is ordered, Under and pursuant to the provisions of section 4 of the act of May 24, 1928, 45 Stat. 729, 49 U.S.C. 214, that the public lands lying within the following-described boundaries, in the vicinity of Bethel, Alaska, be, and they are hereby, withdrawn from all forms of appropriation under the public land laws, subject to valid existing rights, for the use of the Department of Commerce as an addition to Air Navigation Site Withdrawal No. 146 made by departmental order of November 26, 1940:

TRACT 1

Beginning at Cor. 1 M. C. on an island in the Kuskokwim River, in approximate latitude 60°48' N. and approximate longitude 161°46' W., from which Cor. No. 4, U. S. Sur. 1002 bears N. 71°46' W. 11,062.06 feet; thence by metes and bounds

S. 47°41' W., 450.6 feet;  
S. 42°19' E., 1,149.2 feet;  
S. 50°19' E., 2,600.0 feet;  
N. 39°41' E., 800.0 feet;  
S. 50°19' E., 1,210.0 feet;  
S. 7°07' W., 2,211.6 feet;  
S. 43°04' E., 5,291.1 feet;  
N. 46°56' E., 1,860.0 feet;  
S. 43°04' E., 5,000.0 feet;  
S. 46°56' W., 4,500.0 feet;  
N. 43°04' W., 16,000.0 feet;  
S. 47°41' W., 2,640.0 feet;  
N. 42°19' W., 1,660.0 feet;  
N. 39°25' E., 1,820.0 feet;  
N. 21°25' E., 1,566.4 feet;  
N. 43°04' W., 330.0 feet;  
N. 32°57' E., 412.3 feet;  
N. 46°56' E., 400.0 feet;  
S. 43°04' E., 335.0 feet;  
N. 58°21' E., 539.9 feet;  
S. 79°40' E., 1,560.0 feet;  
N. 47°41' E., 350.0 feet;  
S. 66°33' E., 438.6 feet;  
S. 61°37' E., 423.8 feet; to the point of beginning, containing in all 1,592 acres, more or less.

TRACT 2

A right of way 100 feet wide, the center line of which is described as follows:

Beginning at a point on line 2-3 of Tract 1 from which Cor. No. 2 of Tract 1 bears N. 42°19' W. 250 feet; thence N. 47°41' E. 280.4

feet; thence S. 66°34' E. 887.0 feet; thence S. 50°19' E. 2,640.0 feet to intersection with line 4-5 Tract 1.

HAROLD L. ICKES,  
Secretary of the Interior.

APRIL 7, 1942.

[F. R. Doc. 42-3405; Filed, April 16, 1942;  
3:22 p. m.]

FIVE-ACRE TRACT CLASSIFICATION No. 18  
ARIZONA

APRIL 7, 1942.

On March 27, 1942, the vacant public land in the following described area, in the Phoenix, Arizona, land district, was classified by the Secretary of the Interior as chiefly valuable for development under the five-acre act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), and opened for leasing under that act as home, health, and convalescent sites. The classification does not include use of any of the land as cabin, camp, recreational, or business sites.

ARIZONA No. 1

Gila and Salt River Meridian

T. 12 S., R. 13 E., Sec. 8, W $\frac{1}{2}$

This tract involves about 13 applications under the above-mentioned act, the land embraced therein being located about 15 miles northwesterly from Tucson.

The portions of the land described not covered by applications under the five-acre act are subject to application for lease under that act, based on the above-mentioned classification, by any qualified person, in accordance with 43 CFR 257.1-257.25 (Circ. 1470, June 10, 1940).

The Register of the Phoenix district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

FRED W. JOHNSON,  
Commissioner.

[F. R. Doc. 42-3406; Filed, April 16, 1942;  
3:22 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

APPLICATIONS FOR THE EXEMPTION OF THE DEHYDRATING OF CITRUS PULP AND WASTE FROM THE MAXIMUM HOURS PROVISIONS OF THE FAIR LABOR STANDARDS ACT OF 1938, AS AN INDUSTRY OF A SEASONAL NATURE

NOTICE OF FURTHER HEARING

Whereas the Kudor Citrus Pulp Company and various other parties applied, pursuant to § 526.4 of the regulations applicable to industries of a seasonal nature, for exemption of the industry engaged in dehydrating citrus pulp and waste in California, Florida, and Texas, from the maximum hours provision of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature pursuant to section 7 (b) (3) of the Act, and

Whereas in accordance with § 526.5 of the regulations the Administrator determined that a prima facie case for the granting of an exemption had been shown, and notice of this preliminary determination was published in the FEDERAL REGISTER on March 29, 1941, and

Whereas a public hearing on the applications was held in Los Angeles, California on June 5, 1941 before Presiding Officer Harold Stein, a duly authorized representative of the Administrator of the Wage and Hour Division of the Department of Labor, and

Whereas the said Presiding Officer upon the basis of the record made at the hearing found on October 21, 1941 that the dehydrating of citrus pulp and waste, and the manufacture of cattle feed therefrom, is not an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526 of the regulations, and determined that the applications should be denied, and

Whereas petitions have been filed by the applicants pursuant to § 526.7 of the said regulations for review of the said denial, and

Whereas upon due examination and consideration of the applications for exemption, the record of the proceedings, the exhibits, the findings of the Presiding Officer and the petitions for review, it has been found desirable to set hearings pursuant to §§ 526.5 and 526.6 of the regulations before authorized representatives of the Administrator for the purpose of taking additional evidence on the questions raised by the applications for exemption in lieu of reviewing the determination under the provisions of § 526.7 of the regulations, and

Whereas after notice was published in the FEDERAL REGISTER on December 23, 1941 and on January 14, 1942, a further hearing was held in Washington, D. C. on January 16, 1942 before Dr. James G. Johnson, a duly authorized representative of the Administrator, for the purpose of determining whether the dehydrating of citrus pulp and waste is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of said industry, and

Whereas it has been found desirable to secure additional evidence in regard to the dehydrating of citrus pulp and waste in the State of California.

Now, therefore, notice is hereby given that a public hearing will be held before Wesley O. Ash, Regional Director and authorized representative of the Administrator, to take testimony for the purpose of determining:

Whether the dehydrating of citrus pulp and waste is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of said industry.

The public hearing will be held at:

Los Angeles, California, May 1, 1942, at 10 A. M., 417 H. W. Hellman Building.



Particular attention will be paid to evidence relevant to the length of the season during which the industry operates in California. In order to avoid unnecessary duplication of testimony, transcripts of the record of the hearing held in Los Angeles on June 5, 1941 and of the hearing held in Washington, D. C. on January 16, 1942, and the exhibits introduced at those hearings, will be incorporated into the record of this hearing. Copies of the transcripts of the previous hearings may be obtained at prescribed rates from the official reporter, the Electrical Reporting Company, 1904 K Street NW., Washington, D. C.

Any person interested in supporting or opposing the applications or in offering evidence may appear on his own behalf or on behalf of any other person, provided that he shall file with the Wage and Hour Division, Department of Labor, 165 West 46th Street, New York, New York, prior to April 27, 1942, a Notice of Intention to Appear which shall contain the following information:

- (1) The name and address of the person appearing.
- (2) If he is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
- (3) Whether he is appearing in support or in opposition to the applications for exemption.
- (4) The approximate length of time which his presentation will consume.

"Person," as used in this notice, means individual, partnership, firm, association, corporation, trust or labor organization.

Signed at New York, New York, this 16th day of April 1942.

L. METCALFE WALLING,  
*Administrator.*

[F. R. Doc. 42-3415; Filed, April 17, 1942;  
10:02 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket No. 704]

APPLICATION OF TRANSCONTINENTAL & WESTERN AIR, INC., FOR AMENDMENT TO A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

#### NOTICE OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on April 23, 1942, at 10 a. m. (eastern standard time) in Room 1851, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiners Thomas L. Wrenn and John W. Belt.

Dated Washington, D. C., April 15, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
*Secretary.*

[F. R. Doc. 42-3438; Filed, April 17, 1942;  
11:48 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket Nos. G-223, G-224, G-225]

IN THE MATTERS OF NEW YORK STATE NATURAL GAS CORPORATION AND KEUKA CONSTRUCTION CORPORATION

ORDER CONTINUING DATE FIXED FOR  
RESUMPTION OF HEARINGS

APRIL 16, 1942.

It appearing to the Commission that: (a) Hearings in these proceedings are scheduled to resume at Pittsburgh, Pennsylvania, on April 20, 1942;

(b) Good cause exists for continuing the date for the resumption of these proceedings to April 27, 1942, and changing the place of hearings to Washington, D. C.;

The Commission orders that: The hearings in these proceedings now scheduled to resume at Pittsburgh, Pennsylvania, at 10 o'clock, a. m. (E. W. T.), on April 20, 1942, be and they are hereby continued to April 27, 1942, at 10 o'clock, a. m. (E. W. T.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
*Secretary.*

[F. R. Doc. 42-3437; Filed, April 17, 1942;  
11:48 a. m.]